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Tuesday, December 07, 2021  
Agrahayana 16, 1943 (Saka)

# **LOK SABHA DEBATES**

**(English Version)**

**Seventh Session**

**(Seventeenth Lok Sabha)**



*(Vol. XIV contains Nos. 01 to 10)*

**LOK SABHA SECRETARIAT**

**NEW DELHI**

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## LOK SABHA DEBATES

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LOK SABHA

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Tuesday, December 7, 2021/Agrahayana 16, 1943 (Saka)

The Lok Sabha met at Eleven of the Clock.

[HON'BLE SPEAKER *in the Chair*]

*[Translation]*

... (*Interruptions*)

**HON. SPEAKER:** Every person comes with a placard. What is this?

... (*Interruptions*)

**11.01 hrs**

*At this stage, Shri B.B. Pati, Shrimati Kavitha Malothu and some other hon.*

*Members came and stood on the floor near the Table.*

... (*Interruptions*)

**HON. SPEAKER:** Question Hour

... (*Interruptions*)

**11.02 hrs**

**ORAL ANSWERS TO QUESTIONS**

*[Translation]*

**HON. SPEAKER:** Question no. 121, Shrimati Supriya Sadanand Sule.

*[English]*

**(Q.121)**

**SHRIMATI SUPRIYA SADANAND SULE:** The SHGs has been a great movement and a game changer for most women in this country. A lot of innovation has been done in the schemes. We do realize that SHG is a great movement, but on the field, access to banking and marketing is still a big challenge for most of the women. There is a lot of incubation technology being done and innovation being done. I would like to ask from the hon. Minister what innovation, banking linkages, and marketing intervention is the Government doing according to the demands of the market in this new 21<sup>st</sup> century.

*[Translation]*

**SADHVI NIRANJAN JYOTI:** Hon. Speaker Sir, I am very happy to say that the hon. Member has appreciated the women in Self Help Groups ...*(Interruptions)* From 2014, work has been done to encourage the women in Self Help Groups. You must know that the women in Self Help Groups has never left their houses ...*(Interruptions)* Today, they are doing marketing.

Sir, the answer to the question raised by the hon. Member is that we are making efforts in that direction from the year 2013-14 till today and with the help of hon. Prime Minister, loan has been sanctioned from 10 lakh to 20 lakh rupees in the budget to encourage and empower the women in Self Help Groups ...*(Interruptions)* I am happy to say that, the NPA of women has been decreased

and they are also repaying the loan on time. As far as marketing is concerned, we are also working on that. Whenever our resources is accumulated, we will give the responsibility of marketing to these women and our Government is making efforts in that direction too ...*(Interruptions)*

*[English]*

**SHRIMATI SUPRIYA SADANAND SULE:** My second supplementary question is this. In the NRLM, there has been a tie up with the World Bank for digital training of women. So, I would like to ask the hon. Minister what specific intervention the Government is doing for digital literacy of women. The World Bank agreement is being done. On the field, MAVIM does the work and banks are given target so that SHG women become digitally literate, but that is not the ground reality. So, what specific intervention is the Government making for digital work and training for digital literacy of women in the Self Help Groups?

*[Translation]*

**SADHVI NIRANJAN JYOTI:** Hon. Speaker Sir, the question of hon. Member is regarding 'digital'...*(Interruptions)* Today, I can say that the women in these Groups are also Bank Sakhi. Digital transaction is very popular that these women are being able to do digital transaction by themselves as Bank Sakhi ...*(Interruptions)* I believe that this is an era of digitalization and the Government is making efforts in that direction. I would like to tell that we are trying to encourage almost one lakh people through Start-ups, Village Entrepreneurship Programme., Aajeevika Gramin Express Yojana, National Rural Economic Transformation Project...*(Interruptions)*

I am happy that Saras mela was organized in Delhi recently...*(Interruptions)* In that, most of the women has done digital

transaction...*(Interruptions)* It is good that the women are working in this direction...*(Interruptions)*

**MINISTER OF RURAL DEVELOPMENT AND THE MINISTER OF PANCHAYATI RAJ (SHRI GIRIRAJ SINGH):**

Sir, I want to make a statement... *(Interruptions)* Supriya Sule Ji has spoke about two things... *(Interruptions)*

**HON. SPEAKER:** You do not have to give the complete answer or you can give the complete answer.

...*(Interruptions)*

**SHRI GIRIRAJ SINGH:** Ok, Sir.

**HON. SPEAKER:** All right. Continue.

Shri Kuldeep Rai Sharma – Not present.

Dr. Beesetti Venkata Satyavathi

*[English]*

**DR. BEESETTI VENKATA SATYAVATHI:** Thank you, Speaker, Sir. ...*(Interruptions)* The e-commerce company, Flipkart, has signed an MoU under the Flipkart Samarth Programme with the Ministry of Rural Development of the Government of India. ...*(Interruptions)* Can the Minister of Rural Development state what capacity-building activities and rural produces are promoted by Flipkart to encourage the Self-Help Groups in the country? ...*(Interruptions)* Thank you very much, Sir. ...*(Interruptions)*

*[Translation]*

**HON'BLE SPEAKER:** Hon. Minister.

... (*Interruptions*)

**SADHVI NIRANJAN JYOTI:** Sir, in November, we made an agreement with Flipkart...(Interruptions) Sale will be done through that ...(Interruptions) because this is a Group of women and they are unable to go outside but we are making an agreement as the hon. Member has discussed...(Interruptions) Now, the process is continuing and an agreement has been made on this...(Interruptions) I think that almost 13 Groups have uploaded their items on that...(Interruptions)

*[English]*

**SUSHRI MAHUA MOITRA:** Thank you, Sir. ... (*Interruptions*) This is a follow-up to the question on e-commerce. ... (*Interruptions*) Is there any plan by the Ministry so that individual Self-Help Groups across States, without going through the Central portal, at the district-level will be able to tie up with local companies to sell their products throughout the country with help from the Centre? ... (*Interruptions*)

*[Translation]*

**SHRI GIRIRAJ SINGH:** Sir, with your permission I would like to say that when we came to power in 2014, only 2.35 crore women have been linked to this and 80 thousand crore was their linkage and 9.89 was their NPA ...(*Interruptions*) Today, more than 8 crore women across the country has been linked to this ...(*Interruptions*) There are 73 Groups and it is more than four lakh crore ...(*Interruptions*) Now, all the banking is done through DBT ...(*Interruptions*) Hon. Member has asked a question about the linkage. Several



States are making linkages not only with the Flipkart but also with Amazon. Every State has been linked from e-commerce to Saras Mela in their own way and they are also making Haats ...*(Interruptions)* Around 1200 Haats are being currently operated in the country ...*(Interruptions)* My dream is to increase the yearly income of women to one lakh ...*(Interruptions)* Not only just digital, my aim is to make it digital with complete transparency ...*(Interruptions)*

*[English]*

**SHRIMATI VANGA GEETHA VISWANATH:** Sir, has any special provision been made for developing the women SHGs to become entrepreneurs since the women SHGs are getting high scale of finance -- that is, between Rs. 10 lakh and Rs. 20 lakh through banks -- based on the corpus of the Groups? ... *(Interruptions)* If so, kindly state the detailed provisions made viz. extent of subsidy given, margin money, exemption of stamp duty, IT, GST, etc. ... *(Interruptions)*

Our hon. Chief Minister, Shri Y.S. Jagan Mohan Reddy *Garu* started the YSR *Sunna Vaddi Padakkam* Scheme. This scheme provides zero-interest crop loans for women working in the Self-Help Groups (SHG). This scheme improves the financial conditions of women working in the SHGs, along with social security. I would also like to know from the Minister whether the Government is in the process of framing a similar scheme at the Central level to provide zero-interest loans for the SHGs under the National Rural Livelihood Mission.

*[Translation]*

**SHRI GIRIRAJ SINGH:** Hon. Speaker, the programme of SHG is being implemented from 1999 under Swarna Jayanthi Gram Swaraj Yojana. From time to time, the Government has sanctioned loans in 250 districts on seven percent

interest subvention. This includes three percent interest subvention and those who get it on 12 percent also give five percent interest. Several States have formulated scheme in their own way. State and Central Government is providing employment to the poor and unemployed women in villages through this scheme. The hon. Prime Minister has sanctioned credit from 10 lakh to 20 lakh. According to the scheme, people can do business according to their efficiency.

**HON. SPEAKER:** Question Number 122, Shri C.N. Annadurai.

(Q. 122)

*[English]*

**SHRI C.N. ANNADURAI:** Will the hon. Minister apprise the details of number of candidates from the SCs, the STs and the OBCs in the National Young Leaders Programme (NYLP) in Tamil Nadu since its inception?

*[Translation]*

**SHRI NISHITH PRAMANIK:** Hon. Speaker Sir, hon. Member has asked a very good question. Since the year 2014, the goal of our respected Prime Minister of India is that how to make India a young and a fit India. ...*(Interruptions)* Under the guidance of Hon. Prime Minister, Ministry of Youth Affairs and Sports, Government of India had started the National Young Leaders Programme in the year 2014 and since then, about 3,29,241 youths from Tamil Nadu have participated in the National Young Leaders Programme. ...*(Interruptions)* Out of these, 6,706 youths belonging to the Scheduled Tribes, 85,221 youths belonging to the Scheduled Castes, 1,40,508 youths belonging to Other Backward Classes and 95,870 youths from other sections have enthusiastically participated in it. ...*(Interruptions)*

*[English]*

**SHRI C.N. ANNADURAI:** Sir, I would like to know how many NYLP activities has been held in Tamil Nadu, specially in Tiruvannamalai. Would the Minister provide details of women participation from the SCs, the STs and the OBCs categories? Is there any proposal to restructure the NYLP in the country, in general, and in Tamil Nadu, in particular?

*[Translation]*

**SHRI NISHITH PRAMANIK:** Hon. Speaker, Sir, I would like to inform the hon. Member that since the inception of the National Young Leaders Programme in Tiruvannamalai, total 97 NYLP programmes have been conducted in which 498 women belonging to the Scheduled Tribes, 981 women belonging to the Scheduled Castes and 1788 women belonging to the Other Backward Classes have participated. I would also like to inform the honorable Member that, at present, the Government of India has no proposal to restructure the NYLP programme. ...*(Interruptions)*

**SHRI ANURAG SHARMA:** Hon. Speaker Sir, hon. Minister has given a very detailed reply. ...*(Interruptions)* I would like to ask the hon. Minister two things, especially because this is a youth programme. Youth are being involved in programmes related to the environment, conservation, women empowerment and skill development etc. My question to the hon. Minister is that why has there been a steady decline in both, allocation and fund utilization in Uttar Pradesh during the last four years? How many programmes were held especially in my Parliamentary Constituency - Jhansi and Lalitpur districts and what were the benefits of these programmes?

**SHRI NISHITH PRAMANIK:** Hon. Speaker, Sir, I would like to inform the hon. Member that till date, 63 Neighborhood Youth Parliament Programmes have been organized in Jhansi under NYLP programme. Total 3588 youths have enthusiastically participated therein. From the year 2014 to the financial year 2020-21, a total amount of Rs 11 crore 50 lakh was allocated to Uttar Pradesh. With the total expense of Rs. 13 lakh 44 thousand, 63 and 49 Neighborhood Youth Parliament programmes were conducted in Jhansi and Lalitpur districts respectively under the Parliamentary Constituency of the hon. Member.

**SHRI PRASUN BANERJEE:** Sir, as a sportsperson, I would like to ask a question to the hon. Minister. First, what is the status of our Sports University in

Manipur? There should be a first class Sports University in Manipur. There should be Sports Universities in Kerala, West Bengal, Mumbai, UP etc. To encourage sportspersons, as I would like to say as, we used to say 'Catch Them Young'. How Sportspersons have been encouraged in all the States? How many players have emerged with our efforts made under 'Khelo India' programme? I would like to know the status of our Manipur Sports University from the hon. Minister and the second thing, how many sportspersons have been encouraged under 'Catch Them Young'? ... (*Interruptions*)

**HON. SPEAKER:** Hon. Member, please. Hon'ble Minister, please reply.

... (*Interruptions*)

**MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF YOUTH AFFAIRS AND SPORTS (SHRI**

**ANURAG SINGH THAKUR):** Hon. Speaker Sir, as hon. Member of Parliament himself has been a renowned player of football and must have been happy to see the way our honorable Prime Minister had interacted with the players and boosted their morale before their departure for the Tokyo Olympics. ...(*Interruptions*) India has won the highest number of medals, not only in the Olympics, but also in the Paralympics. ...(*Interruptions*) Sir, you also congratulated everyone through the House. However, its foundation was laid many years before that. ...(*Interruptions*) Sir, whether it is setting up a Mission Olympic Cell or formulating a top scheme, ...(*Interruptions*) through these, our elite players across the country are selected and are provided training in the country and abroad. ...(*Interruptions*) About Rs.90 crore was spent on their training, boarding, lodging and out of pocket allowance. ... (*Interruptions*) We are extending this programme. ... (*Interruptions*) I have set up the Mission Olympics Committee a few days back so that we can prepare for the 2024 Olympics in advance and players have been given significant role in it.

...(Interruptions) As far as the National Sports University is concerned, the Hon'ble Prime Minister has given special priority to the North East. Earlier during previous Governments, look east policy was there. We focussed on Act East policy and also laid the foundation stone there to build National Sports University with a cost of Rs. 550 crore. The construction work of National Sports University in Imphal, Manipur is going to complete. COVID-19 has affected its work during the last few days. ...(Interruptions) Nevertheless, we will see rapid progress in it and the country will get its own National Sports University.

**HON. SPEAKER:** Question number 123, Shri Mansukhbhai Dhanjibhai Vasava.

(Q. 123)

**SHRI MANSUKHBHAI DHANJIBHAI VASAVA:** Sir, you have given me permission to ask the question. ... (*Interruptions*)

**HON'BLE SPEAKER:** Hon. Member, first, please tell the Question number.

... (*Interruptions*)

**SHRI MANSUKHBHAI DHANJIBHAI VASAVA:** Sir, you have allowed me to ask the question, I am very grateful to you.... (*Interruptions*)

Sir, through you, I would like to ask the hon. Minister that certain villages and rural areas in the mountains and forests, are deprived of road facilities. Due to lack of proper road, rural people suffer a lot while going to school and market. ... (*Interruptions*) whether there is any proposal to construct roads in such remote locations in hilly and forest area under Pradhan Mantri Gram Sadak Yojna? I would like to know about this from the hon. Minister....(*Interruptions*)

**SADHVI NIRANJAN JYOTI:** Hon. Speaker Sir, the hon. Member has talked about the hilly areas under phase -I, II and III of the Pradhan Mantri Sadak Yojana. ... (*Interruptions*) For the hilly areas, we give permission for the roads, which have been approved by the State. Important thing, here, is that approval for roads is given for habitations of population size 500 in plain areas and 250 in hilly areas and 100 in Naxal affected areas. We give permission for the State approved roads. As far as the question raised by the hon. member is concerned, we work on this basis. ...(*Interruptions*)

**SHRI MANSUKHBHAI DHANJIBHAI VASAVA:** Hon. Speaker, Sir, I would like to ask the second question to the Hon'ble Minister that many

roads are approved under the Pradhan Mantri Sadak Yojana, but due to various reasons, its construction do not get completed within the stipulated time. If the selection process is changed a bit, the Member of Parliament is included in the selection process, then this type of problem can be solved. ...*(Interruptions)*

Sir, through you I want to know from the Honorable Minister whether the selection process will be carried out after consulting with the M.P. of any Lok Sabha constituency? ....*(Interruptions)*

**SADHVI NIRANJAN JYOTI:** Hon. Speaker Sir, it is selected only with the consent of the MP...*(Interruptions)*

**HON. SPEAKER:** Minister, please straighten the mike and speak.

....*(Interruptions)*

**SADHVI NIRANJAN JYOTI:** Hon. Speaker Sir, this is approved only with the consent of the M.P. Wherever the approval of MPs is not being taken, if there is any such matter, we will take action. ...*(Interruptions)*

**SHRI SHYAM SINGH YADAV:** Hon. Speaker Sir, I am very happy that in the whole session, since I have been elected, for the first time my question has appeared in the Stared Question and that too jointly. I congratulate you and you should congratulate me as it's my first question. ...*(Interruptions)*

Sir, kindly allow me to ask two supplementary questions.  
...*(Interruptions)*

**HON. SPEAKER:** One.

.... *(Interruptions)*

**SHRI SHYAM SINGH YADAV:** Sir, it's ok, I will ask only in one go.  
...*(Interruptions)*



Hon. Speaker, Sir, the quality of roads being constructed under PMGSY in Uttar Pradesh is very poor. Just recently you must have seen, when coconut breaking ceremony was carried out on a road in Bijnaur, the coconut did not break, but the road was broken. ...*(Interruptions)* Similarly, in my area, good quality roads are not being built... even when reminded repeatedly, *(Interruptions)* I have personally inspected also. Good quality roads are not being built there. I request you that in the first stage it should be done in such a way that in case someone breaks a coconut on the road, then both the coconut and the road should get broken. ...*(Interruptions)*

**HON. SPEAKER:** Hon. Member, you please ask question.

....*(Interruptions)*

**SHRI SHYAM SINGH YADAV:** Sir, in the next stage it should be like that the coconut gets broken and the road is not broken. ...*(Interruptions)*

Will you please get the quality of the roads of Jaunpur checked by the National Quality Monitor? It's my request.

**SADHVI NIRANJAN JYOTI:** Hon'ble Speaker Sir, although it is not connected with the original question, still I would like to tell that in order to check our quality...*(Interruptions)*

**HON. SPEAKER:** Why is the question not connected when asking about quality? Kindly tell me.

.... *(Interruptions)*

**SADHVI NIRANJAN JYOTI:** We will get it investigated; we will give it in writing. ....*(Interruptions)*

**HON. SPEAKER:** You don't do that. You have to answer.

.... (*Interruptions*)

**SADHVI NIRANJAN JYOTI:** We will get the roads of such places checked. However, wherever the roads are built, the lab is available there, there is a central lab, State also has its lab. If there is any complaint regarding road, we will get it investigated. ...(*Interruptions*)

**SHRI PRADYUT BORDOLOI:** Sir, I would like to know from the Minister the monitoring of PMGSY. If a State always misses its target, like my home State Assam is missing the target for four consecutive years from 2017 to 2021, then even after monitoring if a State misses it's target, what action do you take? ... (*Interruptions*) Do you allow these unimplemented roads to be carried over? ...(*Interruptions*)

**RURAL DEVELOPMENT MINISTER AND PANCHAYATI RAJ MINISTER (SHRI GIRIRAJ SINGH):** Hon. Speaker Sir, regarding the subject raised by the Hon'ble Member, PMGSY-1, PMGSY-2 and PMGSY-3, the work of PMGSY-1 will be completed in the year 2022. We have allotted two and a half times the volume of the work done by the state governments in PMGSY-2 in PMGSY-3. It only hurts the States. The MPs of the State should meet their State ministers and talk to the department. ...(*Interruptions*)

**SMT. HEMA MALINI:** Hon. Speaker Sir, the dream of Atal ji to connect every village with road, that dream is being realized today under the leadership of our hon. Prime Minister.... (*Interruptions*) this scheme has brought revolutionary changes in the lives of people living in the villages, especially our farmers. I congratulate my government very much for this. ...(*Interruptions*) At present there is a provision for construction of roads of minimum 5 km length under Pradhan Mantri Gram Sadak Yojna, due to which the essential roads of

less than 5 kms cannot be built under this scheme. ...*(Interruptions)* May the Government consider modifying the provision of minimum 5 km length of road under the scheme and reducing it to 2.5 km?...*(Interruptions)* I want to tell that in my constituency, many villages of Mathura area are deprived of this scheme due to the provision of minimum 5 km.... *(Interruptions)*

**SADHVI NIRANJAN JYOTI:** Hon. Speaker, Sir, in third phase there is a provision to connect our markets, schools, hospitals etc., but there is no provision to connect below 5 kms.... *(Interruptions)*

*[English]*

**SHRI ADHIR RANJAN CHOWDHURY:** Sir, I would like to draw the attention of the hon. Minister to part (d) of the Answer where it has been stated that at district level, DISHA headed by hon. Member of Parliament monitors the implementation of various schemes of the Government of India including PMGSY. ... *(Interruptions)*[Translation]Hon. Minister, I have been the chairman of Disha committee since the year 2012, but all this is in the paper, in letter but not in spirit.... *(Interruptions)*

From the year 2012 till today i.e. till the year 2021, not a single Disha Committee meeting was held. My fault is that I am the MP of Congress party, so for the last so many years, not even a single meeting of Disha committee was convened, in which I could attend and glorify the post of chairman. *[English]*I feel I have been deprived of my legitimate... *(Interruptions)* I would like the hon. Minister to reply to my question. ... *(Interruptions)*

*[English]*

**HON'BLE SPEAKER:** Thank you.

... *(Interruptions)*

**SHRI GIRIRAJ SINGH:** Hon. Speaker Sir, I can understand the pain of Adhir Ranjan ji, he is an experienced MP. If Disha's meeting has not been convened in Bengal, then it was not convened by Mamata Banerjee's Government or previous Governments. We have written a letter to take action on this. Please send me a letter so that I can write to the State Government to take action on this as per action in the Parliament. ...*(Interruptions)*

**SHRI VINAYAK BHAURAO RAUT:** Hon. Speaker, Sir, now PMGSY Phase-3 is going on. The Minister had given a lot of facilities in Phase-I and Phase-II. As Hema Malini ji said, there is a need to consider once again about the condition of five kilometers length.

My request is, the villages with a population of 250 people in the hilly areas of Western Ghats need connecting roads in the same way as the villages with a population of 250 people in the North-East are getting. Will the Hon. Minister make some provision to take decision on these two issues? ...*(Interruptions)*

**SHRI GIRIRAJ SINGH:** The issue raised by Hon. Raut ji involves the issue of connectivity in the first part, second involves upgradation and the third regarding enhancing the utility.

As far as road through is concerned, I would urge this decision has been taken for convenience of public whether it is school, college, block, Bazaar Haat or hospital. ...*(Interruptions)*

**HON. SPEAKER:** Hon. Rudy ji, kindly ask questions in short. You usually ask lengthy questions.

... *(Interruptions)*

**SHRI RAJIV PRATAP RUDY:** Hon. Speaker Sir, I am merely a Backward person belonging to a Backward State. ...*(Interruptions)*

Approval of 6162 Kilometre has been accorded under Phase-III in Bihar. Now-a-days, I am also included in the category which people in the entire country call Backward. Proposal of how much amount has been received for approval of 6612 km to this Backward State by the Government of India and how many approvals have been accorded ...*(Interruptions)*

**SHRI GIRIRAJ SINGH:** Hon. Speaker Sir, though this is not a part of this question. Hon'ble Member has asked and he is a senior Member. Roads of 1300 kms have been approved and it is not with me ... *(Interruptions)*

**SHRI SUBHASH CHANDRA BAHERIA:** I would like to say to the hon. Minister through you that Pradhan Mantri Sadak Yojana aims to connect the villages. As per the year 2001, there was criterion of population of 500 people. Now, the population of many villages has crossed 500 post 2011 census. ... *(Interruptions)*

**SHRI NAMA NAGESWARA RAO:** Hon. Speaker Sir, I want to say something.

**HON'BLE SPEAKER:** What do you want to say?

... *(Interruptions)*

**SHRI SUBHASH CHANDRA BAHERIA:** Hon. Minister, when do you intend to connect the revenue villages having population of 500 people? There is no provision to connect the villages in second or third phase. When will those villages be connected under PMGSY having population of 500?

**SHRI NAMA NAGESWARA RAO:** We are raising the matter concerning farmers for so many days and there is no reply on that. ...*(Interruptions)*

**SHRI GIRIRAJ SINGH:** Hon'ble Speaker Sir, I am reiterating that Phase-1 included connectivity, Phase-2 included upgradation and the task of upgradation has been taken up in Phase-3. This will be completed by the year 2021. ...*(Interruptions)*

**SHRI NAMA NAGESWARA RAO:** What is the problem in it. Let them procure, if they are procuring. ... *(Interruptions)* No one is listening. ... *(Interruptions)*

**HON. SPEAKER:** Question number 124.

Shri Ramesh Chandra Majhi.

... *(Interruptions)*

(Q. 124)

**SHRI RAMESH CHANDRA MAJHI:** Hon. Speaker Sir, the Hon. Minister has informed that there are 237 accredited Academies in India out of which 08 Academies are in Odisha. I would like to inform the House that hon. Chief Minister Shri Naveen Patnaik ji has developed sports infrastructure in Odisha. You must be knowing that the World Cup Men's Hockey in year 2018 was held in Odisha. Bhubneswar is also called as the Sports Capital. Odisha is the only State in India which is sponsoring a national team. The 2023 World Cup Men's Hockey will be held in Birsa Munda International Stadium, Raurkela. The Odisha Government is undertaking works costing Rs. 120 crore in it which will be completed in the year 2022. My question to the Hon. Minister is, how many players are being provided financial aid under 'Khelo India' and how many players from Odisha have got the financial aid? Thank you.

**11.35 hrs**

*[English]*

*At this stage, Shri B.B. Patil, Shrimati Kavitha Malothu and some other hon.*

*Members left the House.*

*[Translation]*

**SHRI NISITH PRAMANIK:** Hon. Speaker Sir, first of all, I would like to thank the Hon'ble Member for the question he has asked. The performance of the Indian Contingent in Olympics and Paralympics this time, in particular, the performance of Indian Hockey Team in Olympics have raised the Indian flag higher. Odisha is also one of the States, which have participated enthusiastically in it. I would like to express my thanks to the Government of Odisha for Hockey players.

Hon. Speaker, I would like to inform the Hon. Member that scholarship under the 'Khelo India' Scheme is being provided to 2964 athletes at present. This includes a total of 56 athletes from Odisha out of which there are 39 females and 17 male athletes. All these players are being given Rs. 10,000 monthly as scholarship.

**SHRI RAMESH CHANDRA MAJHI:** Hon. Speaker, my second supplementary is, how many projects have been sanctioned for Odisha under 'Khelo India'?

**SHRI NISITH PRAMANIK:** Hon. Speake, I would like to quote for the information of Hon. Member that four projects costing Rs. 28 crore have been sanctioned under 'Khelo India' for development of sports in Odisha, [English] which include, construction of a Multi-purpose Indoor Hall in Kalinga Stadium Sports Complex, Bhubaneswar amounting to Rs. 8 crore, construction of Multipurpose Hall at Puri amounting to Rs. 7.5 crore, construction of a Swimming Pool at District Headquarters, Boudh, amounting to Rs. 5 crore, and construction of a Multi-purpose Hall at District Sports Complex, Burla amounting to 7.5 crore. [Translation] Out of these, the project of swimming pool has been completed. Lot of works have been undertaken on the other three projects also. We hope that all the projects will be completed very soon.

**SHRIMATI LOCKET CHATTERJEE:** Hon. Speaker, thank you for giving me the opportunity.

\*I want to know that in West Bengal what are the ongoing projects with regard to sports and our youth. The way in which under the leadership of Shri Narendra Modi and the Sports & Youth Ministry our country is progressing fast, keeping that in mind I want to know about the programmes related to sports that are being undertaken in the state of West Bengal.

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\* English translation of the speech originally delivered in Bengali.



*[Translation]*

**HON. SPEAKER:** Hon. Member, please hold for a minute. You can ask questions in your language. There is no problem at all. But, for that, kindly give prior notice , so that all members may listen.

**SHRIMATI LOCKET CHATTERJEE:** Hon. Speaker Sir, shall I have to speak once again?

**HON. SPEAKER:** Not required to speak again. Your time is over now.

**SHRI NISITH PRAMANIK:** Hon. Speaker, I am replying to the question of Hon. Member in Hindi as well as her mother tongue, Bangla.

**HON. SPEAKER:** I do not have any problem. I allow the members to speak in all the languages. You can reply in Gujarati, Bangla, Punjabi, in whatever language you want. You can speak in any language out of the 22 languages but kindly give prior notice.

**\*SHRI NISITH PRAMANIK:** I am replying to the question raised by Hon. Member. Few days back, in September 2021...

*[Translation]*

Hon. Sir, we held a virtual meeting with the Sports Ministers of all the States. Hon. Minister Shri Anurag Thakur had asked all the Ministers regarding their suggestions in that meeting. He had asked for suggestions on how to identify potential sports talents in every State and how to develop the infrastructure also. Towards that end, a letter has been sent to the Sports Ministers of every State on 30 September and 04 October.

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\* English translation of this part of the speech originally delivered in Bengali .

In the letter, details regarding the existing infrastructure available have been asked and the proposals for development in the State have been asked to be forwarded to us.

Sir, on the one hand our Hon. Prime Minister has been making continuous efforts to find out the sports talents and to improve the image on world forum through sports talents. In this regard, the information has come to us from almost all states upto now but it is unfortunate that till now no development proposal has come from West Bengal.

Sir, I hope that very soon development proposal from West Bengal will also come. I hope for this because the incumbent Chief Minister of West Bengal has been earlier a Sports Minister also. I hope that it is natural that sports infrastructure will develop in the West Bengal.

*[English]*

**SHRI BENNY BEHANAN:** Sir, nowadays, the youth are more attracted towards sports. After the last Olympic, a new spirit and enthusiasm has developed in the youths' mind. So, we have to encourage this spirit of the youth. For that, we have to start more sports academies and sports universities. There is a long pending demand from Kerala for a sports university in Kerala. I think we are eligible for that because the youth of our State of Kerala are in front in all the games at the national level. So, whether the Government is taking steps to start a new sports university in Kerala?

*[Translation]*

**SHRI NISITH PRAMANIK:** Hon. Speaker , Hon. Prime Minister's efforts are to bring Indian youth to the world level and take them forward, we have seen in every field, be it field of sports, be it field of politics, if we see in this House, we come to know, what is his target.

Hon. Member has asked if we desire to open a Sports University in Kerala. Till now we have not received any proposal from the state government. If such proposal comes, we will discuss on it. ...(Interruptions) Definitely we and our government have the intentions to take sports talents forward, we will stick to that intention.

**HON. SPEAKER:** Hon. Members, many Hon. Members want to ask questions on this topic. If any Hon. Member give the notice for calling attention, I will allow the discussion on it. Hon. Minister is also ready for the discussion on it. Discussion for half an hour or an hour on this topic can be done because during the Question Hour all the Hon'ble Members do not get their turn.

*...(Interruptions)*

**SHRI ADHIR RANJAN CHOWDHURY:** Hon. Speaker Sir, allow the discussion under Rule 193 as discussion will not finish within half an hour.

**HON. SPEAKER:** Hon. Member, please give notice for calling attention. I will allow one hour discussion under it.

**SHRI GURJEET SINGH AUJLA:** Hon. Speaker sir, I want to ask the Hon. Minister through you. My constituency Amritsar is a border district. Many sportspersons have won gold medals there by participating in Cricket, Gymnastics, Athletics, Olympics, Paralympics and Asian games. Just now you mentioned Hockey. Most number of players are from Amritsar districts in it, who have won medals in Olympics.

Sir, I would like to ask the Hon. Minister through you if he can make a provision for a new Sports Academy in border district Amritsar? It is needed there very much, because the people are dying there due to drug addiction. There is potential in those people. Be it for a young nation, they are always at the front. Whole country and Amritsar can be benefited from it.

**THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF YOUTH AFFAIRS AND SPORTS (SHRI ANURAG SINGH THAKUR):** Hon. Speaker, Hon. Member has asked about border area. The Golden temple is famous with the name Harmandir Sahib and with it Punjab has a big contribution in the field of sports also. Punjab has seen a long spell of terrorism, inspite of it; Punjab's youth have taken forward the sports. Especially if we consider Hockey, then Punjab's players have made a big contribution. The Hon. Members have said about getting rid of drugs. When the elections were held in 2017, the incumbent Government said that they will make Punjab free from drugs. I feel that definitely in the last four and half years, the State Government must have taken up some steps so that the youth could be free from drugs. As far as sports are concerned, it is basically a state subject. The States have to perform major role in it, but to amplify it more, the Central Government through its different policies gives its contribution in it.

Hon. Speaker, if I talk about some projects and accredited academies then it is a long list. Amritsar to Ropar, Mohali, Bhatinda and Sangrur each have their own list and which sports projects are in Amritsar, Its list will also be given to the Member.

**HON. SPEAKER:** Question No. 125, Shri Parvesh Sahib Singh Verma.

(Q. 125)

**SHRI PARVESH SAHIB SINGH VERMA:** Sir, the production of drugs is increasing rapidly and worrisome thing is that drug consumption is increasing in institutes like schools and colleges. I had asked a question about it earlier also. The Government has launched a drug de-addiction campaign and in reply they have told that in this drug de-addiction campaign they have reached upto 1.25 crore youth. In this campaign, they have added 27 lakh school and college students and 27 thousand teaching institutes with this campaign.

I extend my point beyond it that the trend of parties and drugs is increasing rapidly in last few days. Drugs are coming with different names like LSD, MDMA, GHB, Mefedron. Be it Bollywood stars, their children or the children of beggars on the red lights, these all are drug addicts. In schools, parents asks that how much drug is produced by those schools and colleges? How many children are using drugs?...*(Interruptions)* Hon'ble Home Minister is sitting here. I would like to thank him that in my Parliamentary constituency, district police have deported more than 300 foreigners, who were involved in drug supply ...*(Interruptions)* On one side Delhi Government beats drums that they have improved their educational institutes very much and on the other side are those street beggars who have been left to die by the Government. These children use injection which increases the danger of HIV and Hepatitis ...*(Interruptions)*

**HON. SPEAKER:** What is your question?

...*(Interruptions)*

**SHRI PARVESH SAHIB SINGH VERMA:** My question to Hon. Minister is that whether they have made any plan with Delhi Government? Is

Delhi Government not able to launch any campaign on this matter? How much interest has Delhi Government shown in it?...(*Interruptions*)

**HON. SPEAKER:** Both of you must first decide who will reply. You also stood up and the Minister of State also stood up.

...(Interruptions)

**MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT (DR. VIRENDRA KUMAR):** Hon. Speaker, a very sensitive question has been raised by the Hon. Member. I would like to tell the House through you that no survey was conducted in this regard before the year 2018. The Government has taken steps in this area very seriously when Hon. Narendra Modi ji became the Prime Minister. With a view to sensitizing 272 districts has been included therein, we are moving forward in that direction with the goal of making 100 districts sensitive by the year 2022. Question regarding Delhi has been raised by the Hon. Member. With regard to Delhi, I would like to say that there has been talk of cooperation especially with the Delhi Government.

As I mentioned earlier, according to the National Survey on Substance Consequences in India, 2019, 4 lakh 93 thousand 600 children in the age group of 10 to 17 years, including street children in Delhi, are addicted to various types of drugs. In order to combat the effects of drug abuse and drug demand reduction, the Ministry has prepared a National Action Plan, in which NAPDDR is taking continuous and coordinated action to address the demand for narcotic and psychotropic substances. ....(*Interruptions*) The Ministry of Social Justice and Empowerment has also launched *Nasha Mukta Bharat Abhiyan*, which aims to spread awareness about drug abuse with special focus on the youth of the country. ...(*Interruptions*) All the 11 districts of Delhi have been identified as the most vulnerable districts under the *Drug Free India Campaign*. The Ministry of Social Justice and Empowerment also provides support through community-

based peer-led interventions, which provide early prevention education led by trained peer-led teachers.

**SHRI PARVESH SAHIB SINGH VERMA:** Sir, Delhi is one of the top five states in the country in terms of alcohol, drugs, injection or other intoxicant abuse and the drug abuse is increasing in Delhi. Going ahead in this regard, the Government of Delhi is opening 824 new liquor shops to increase the revenue. If the national average of drug abuse is 1 percent, the average of Delhi is 4 percent. As far as inhalants are concerned, the national average is 1.1 percent and Delhi's average is 8 percent. Today, 25 percent of the population in Delhi is addicted to alcohol. In Delhi, 4 percent of people are using drugs and more than one lakh people are using injections. In 2021, the Government of Delhi announced the opening of 'Suryodaya' Kendra but nothing has happened in the last seven years. The announcement of Kendra is merely a hollow announcement, and no concrete steps have been taken in this regard.

I want to ask the hon. Minister as to how he could assist Delhi through de-addiction campaign. If the Government of Delhi is not doing anything in this direction, he should come forward to save the national capital from drug addiction.

**DR. VIRENDRA KUMAR:** Hon. Speaker, the hon. Member has particularly asked about Delhi. In this regard, the Ministry has formulated a national action plan to reduce the demand for drugs and assistance has also been provided to the Government of Delhi under the said action plan. In this, a total of 4.84 crore rupees including 2.51 crore rupees for the year 2018-19 and 2.33 crore rupees for the year 2019-20 has been provided under NPDDR. The Ministry is also providing assistance for 9 Integrated Rehabilitation Centre For Addicts, 9 Outreach and Drop-In Centres, and 7 Community Based Peer-Led Intervention and De-addiction Centers in Delhi. In the last three years, the

Ministry has released 13.85 crore rupees to the NGOs which operate these De-addiction Centres. In addition to the extensive intervention under the Nasha Mukta Bharat Abhiyan, geo-tag has been given to all the institutions which provide de-addiction and counseling facilities. Nasha Mukta Bharat Abhiyan has also been publicized on the website of the Ministry of Social Justice and Empowerment. One toll-free helpline number - 14446 provides all the necessary information 24x7 along with the primary counseling. There are 25 institutions operated and supported by the Ministry in all the 11 districts of Delhi. There are some districts also in the country without any deaddiction facility. The Government is focusing on those districts which lack any de-addiction facility. We have a proposal to set up de-addiction centres in 290 districts in the next five years.

**HON. SPEAKER:** Please ask the question in brief and give the reply in two lines.

Shri Dayanidhi Maran Ji.

...(Interruptions)

**HON. SPEAKER:** Hon. Member, I am giving you the permission to ask question but please don't make comments statements while being seated.

[English]

**SHRI DAYANIDHI MARAN:** I am happy to see the answer given by Minister Sir. The Ministry has taken a nice attitude of considering children who use drugs not as culprits but as victims. Since the Home Minister is here, I cannot miss the opportunity to point out that the same NCB which comes under the Home Ministry looks the other way from this policy and makes a sensation out of small incidents irrespective of whether the person has consumed drugs or not, arresting children and making publicity this is sending a wrong message.



I would also like to know, can you give us a statewise survey complete with statewise numbers of the incidents of drug usage.

Punjab, and Uttar Pradesh are considered to be at the top of drug using States, It would be useful for us academically to pursue this subject....

*(Interruptions)*

*[Translation]*

**HON. SPEAKER:** Hon. Minister, please stand up and tell him that you will send him the reply.

**DR. VIRENDRA KUMAR:** Hon. Speaker Sir, I will provide the written reply to the information asked by the hon. Member.

*[English]*

**SHRI ANUBHAV MOHANTY:** Thank you so much, Sir. The World Health Organisation has classified drug addiction or Substance Use Disorder as a chronic disease, a brain disease. It has a cause and, therefore, it can be treated and prevented also.

Among the children, one of the most common preventable causes is emotional child abuse due to parental alienation. In fact, data from other countries state that these emotionally abused or alienated children are seven to ten times more likely to become addicts. As I mentioned in my earlier speeches in this august House, parental alienation has become a silent epidemic. Today, 1.5 crore children are impacted by it in India.

Therefore, my question to the hon. Minister, through you Sir, is, whether the Ministry is collecting data about what percentage of children suffering from Substance Use Disorder come from single parent family where they have been alienated from one parent and what steps the Ministry is taking in preventing

substance abuse by raising awareness about parental alienation among the general population and for rehabilitation centres.

*[Translation]*

**KUMARI PRATIMA BHOUMIK:** We are conducting Nasha Mukti Bharat Abhiyan in 272 districts in which we have taken assistance from the Narcotics Control Bureau also. We are providing training to more than 8 thousand Shram Sevaks to save children from drug addiction and spread awareness among them in this regard. There are 540 de-addiction centers across the country ...*(Interruptions)*

**HON. SPEAKER:** Hon. Minister is giving a good reply. You should thank her for that.

**KUMARI PRATIMA BHOUMIK:** Under this campaign, a survey has been conducted among children between the ages of 10 to 17. As the hon. Minister has said, before 2018, no survey has been conducted in this regard. A national survey was conducted and in 2019, we have published the survey. Out of the children from the age of 10 to 17, 13.1 percent of children have used Cannabis and 6.4 percent of students have used hemp (Bhang). In the country, 5 percent of children use Opioid, 2.1 percent use sedatives, and 3.2 percent use inhalants.

We are working extensively to overcome this. Eight thousand volunteers are working on this. We have communicated with 1.27 crore people in this regard. We are conducting a campaign with NCC, NSS, and Youth Clubs NGOs in which 44 lakh youths have participated. In addition to this, we have worked with 27 thousand educational institutions in the country in which 29 lakh people have participated in quiz competitions, debates and other competitions.

**SHRI ANUBHAV MOHANTI:** I would like to request the hon. Minister that I will be obliged if she gives me a written reply to my question.

**HON. SPEAKER:** She is giving a good reply.

**SHRI ANUBHAV MOHANTY:** The reply being given by the Hon'ble Minister is not a reply to my question. I will be obliged if I could receive in writing.

**KUMARI PRATIMA BHOWMIK:** Please visit to office.

**SHRI ANUBHAV MOHANTY:** I will definitely come, you please give a written reply.

**HON. SPEAKER:** Question No. 126, Shri Kesineni Srinivas.

*[English]*

**(Q. 126)**

**SHRI KESINENI SRINIVAS:** Sir, sanitation and waste management workers have long been marginalised across the country. The COVID pandemic has magnified occupational and health hazards that they are already facing. Many of them work with limited protection and they do not even have formal guidance and support. They have limited access to Personal Protective Equipment (PPE) Kits and inadequate handwash and cleaning facilities.

**12.00hrs**

There is a clear need for sanitation workers to receive immediate support to enable them to cope up with the heightened threat as the pandemic still continues. So, I would like to know from the Minister the measures taken to improve the working and living conditions of sanitation workers and to address the deep-rooted structural inequalities that have relegated them to the margins of the society.

*[Translation]*

**SHRI RAMDAS ATHAWALE:** Mr. Speaker, the workers who work in the septic tank are put in the septic tank after providing them all the facilities. According to the Section 2(1) G of the law enacted in the year 2013, if someone does not provide such equipments to them, there is a provision of punishment and fine for them. They should be given full facilities, for this there is a law and there is an order of our Ministry as well.

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## **\*WRITTEN ANSWERS TO QUESTIONS**

**(Starred Question Nos.127 to 140**

**Unstarred Question Nos.1381 to 1610)**

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**\* For Questions, please refer to Master copy of English version, placed in Library.  
You can also visit <https://sansad.in/ls/questions/questions-and-answers> for more information.**

**HON. SPEAKER:** Hon. Members, I have received notices of adjournment motion on certain subjects by some Hon. Members. I have not given permission for any notice of adjournment motion.

....(*Interruptions*)

**SHRI ADHIR RANJAN CHOWDHURY:** Hon'ble Speaker Sir, Rahul ji has given this adjournment motion, so let us speak for two minutes.

...(*Interruptions*)

**HON. SPEAKER:** You will be given an opportunity to speak during the Zero Hour.

....(*Interruptions*)

[*English*]

**SHRI T. R. BAALU:** Mr. Speaker, Sir, I have also given a notice for Adjournment Motion. ...(*Interruptions*)

[*Translation*]

**HON. SPEAKER:** Balu ji, please sit down. Zero hour is your hour.

**12.01hrs**

**PAPERS LAID ON THE TABLE**

**HON. SPEAKER:** Now Papers laid on the Table of the House. Shri Anurag Singh Thakur Ji.

[*English*]

**THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF YOUTH AFFAIRS AND SPORTS (SHRI ANURAG SINGH THAKUR):** Sir, I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under Section 34 of the Prasar Bharati (Broadcasting Corporation of India) Act, 1990:-

1. The Prasar Bharati (Broadcasting Corporation of India) Official Language Posts Recruitment Regulations, 2021 published in Notification No. N-10/10/2013-PPC/PBRB in Gazette of India dated 1st October, 2021.
2. The Prasar Bharati (Broadcasting Corporation of India) Junior Administrative Posts Recruitment Regulations, 2021 published in Notification No. N-10/001(4)/2015-PBRB in Gazette of India dated 10th September, 2021.
3. The Prasar Bharati (Broadcasting Corporation of India) (Senior Administrative and Applied Posts) Recruitment Regulations, 2021 published in Notification No. N-10/12/2013-PPC/PBRB in Gazette of India dated 10th September, 2021.

[Placed in Library, See No. LT 5268/17/21]

**THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION; AND MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SADHVI NIRANJAN JYOTI):** Sir, I beg to lay on the Table a copy of the Notification No. S.O.4598 (E) (Hindi and English versions) published in Gazette of India dated 3rd November, 2021, making certain amendments in the Schedule-I to the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 under Sub-Section (2) of Section 29 of the said Act.

[Placed in Library, See No. LT 5269/17/21]

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI NITYANAND RAI):** Sir, I beg to lay following Papers on the Table:-

- (1) A copy of the National Disaster Management Authority (Group “A” Posts) Recruitment (Amendment) Rules, 2021 (Hindi and English versions) published in Notification No. G.S.R.632(E) in Gazette of India dated 15th September, 2021 under Section 77 of the Disaster Management Act, 2005.

[Placed in Library, See No. LT 5270/17/21]

- (2) A copy of the Ministry of Home Affairs, Sashastra Seema Bal, Head Constable, Group “C” Combatised (Non-Gazetted) Motor Transport and Mechanic Cadre Posts, Recruitment Rules, 2021 (Hindi and English versions) 3 published in Notification No. G.S.R.76 in Gazette of India dated 19th July, 2021 under sub-section (3) of Section 155 of the Sashastra Seema Bal Act, 2007.



[Placed in Library, See No. LT 5271/17/21]

**THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND FARMERS WELFARE (SHRI KAILASH CHOUDHARY):** Sir, I beg to lay following papers on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the National Academy of Agricultural Sciences, New Delhi, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the National Academy of Agricultural Sciences, New Delhi, for the year 2020-2021.

[Placed in Library, See No. LT 5272/17/21]

- (1) A copy of the Notification No. 309/DRPCAU(VC), Pusa (Hindi and English versions) published in Gazette of India dated 13th September, 2021, regarding amendment in the recruitment rules, mentioned therein, for the post of Comptroller of Dr. Rajendra Prasad Central Agricultural University, Pusa, Bihar, under sub-section (2) of Section 46 of the Dr. Rajendra Prasad Central Agricultural University Act, 2016.

[Placed in Library, See No. LT 5273/17/21]

**THE MINISTER OF STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SUSHRI PRATIMA BHOUMIK):** Speaker Sir, I beg to lay the following papers on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Surya Kiran Parents Association for the Welfare of the Mentally Handicapped Children, Guntur, for the year 2012-2013, alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Surya Kiran Parents Association for the Welfare of the Mentally Handicapped Children, Guntur, for the year 2012-2013.

(2) Statement (Hindi and English versions) showing reasons for delay in The papers mentioned at (1) above laying.

[Placed in Library, See No. LT 5274/17/21]

(3) (i) A copy of the Annual Report (Hindi and English versions) of the Chavara Special School for Mentally Retarded Challenged, Koonammavu, for the year 2020-2021, along with Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Chavara Special School for Mentally Retarded Challenged, Koonammavu, for the year 2020- 2021.

[Placed in Library, See No. LT 5275/17/21]

(4) (i) A copy of the Annual Report (Hindi and English versions) of the Child Guidance Centre, Hyderabad, for the year 2020-2021, along with Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Child Guidance Centre, Hyderabad, for the year 2020-2021.

[Placed in Library, See No. LT 5276/17/21]

(5) (i) A copy of the Annual Report (Hindi and English versions) of the Surya Kiran Parents Association for the Welfare of the Mentally

Handicapped Children, Guntur, for the year 2011-2012, alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Surya Kiran Parents Association for the Welfare of the Mentally Handicapped Children, Guntur, for the year 2011-2012.

(6) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (5) above.

[Placed in Library, See No. LT 5277/17/21]

(7) (i) A copy of the Annual Report (Hindi and English versions) of the Carmel Jyothi Charitable Society, Idukki, for the year 2011-2012, alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Carmel Jyothi Charitable Society, Idukki, for the year 2011-2012.

(8) Statement (Hindi and English versions) showing reasons for delay in the papers mentioned at (7) above laying.

[Placed in Library, See No. LT 5278/17/21]

(9) (i) A copy of the Annual Report (Hindi and English versions) of the Surya Kiran Parents Association for the Welfare of the Mentally Handicapped Children, Guntur, for the year 2020-2021, alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Surya Kiran Parents Association

for the Welfare of the Mentally Handicapped Children, Guntur, for the year 2020-2021.

[Placed in Library, See No. LT 5279/17/21]

- (10) (i) A copy of the Annual Report (Hindi and English versions) of the Chavara Special School for Mentally Retarded, Challenged, Koonammavu, for the years 2011-2012, 2014-2015 and 2015-2016, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Chavara Special School for Mentally Retarded, Challenged, Koonammavu, for the years 2011-2012, 2014-2015 and 2015-2016.
- (11) Three statements (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (10) above.

[Placed in Library, See No. LT 5280/17/21]

- (12) (i) A copy of the Annual Report (Hindi and English versions) of the Durgabai Deshmukh Vocational Training and Rehabilitation Center for Handicapped, Andhra Mahila Sabha, Hyderabad, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Durgabai Deshmukh Vocational Training and Rehabilitation Center for Handicapped, Andhra Mahila Sabha, Hyderabad, for the year 2020-2021.

[Placed in Library, See No. LT 5281/17/21]

- (13) (i) A copy of the Annual Report (Hindi and English versions) of the Montfort Center for Education, Danakgre, for the years 2011- 2012 and 2012-2013, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Montfort Center for Education, Danakgre, for the years 2011-2012 and 2012-2013.
- (14) Two statements (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (13) above.

[Placed in Library, See No. LT 5282/17/21]

- (15) (i) A copy of the Annual Report (Hindi and English versions) of the Manasika Vikasa Kendram, Vijayawada, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Manasika Vikasa Kendram, Vijayawada, for the year 2020-2021.

[Placed in Library, See No. LT 5283/17/21]

- (16) (i) A copy of the Annual Report (Hindi and English versions) of the Bhairabi Club, Khordha, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Bhairabi Club, Khordha, for the year 2020-2021.

[Placed in Library, See No. LT 5284/17/21]

- (17) (i) A copy of the Annual Report (Hindi and English versions) of the Sneha Society for Rural Reconstruction, Nizamabad, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Sneha Society for Rural Reconstruction, Nizamabad, for the year 2020-2021.

[Placed in Library, See No. LT 5285/17/21]

- (18) (i) A copy of the Annual Report (Hindi and English versions) of the S.K.R. Pupils Welfare Society, Prakasam, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the S.K.R. Pupils Welfare Society, Prakasam, for the year 2020-2021.

[Placed in Library, See No. LT 5286/17/21]

- (19) (i) A copy of the Annual Report (Hindi and English versions) of the PAWMENCAP, Hyderabad, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the PAWMENCAP, Hyderabad, for the year 2020-2021.

[Placed in Library, See No. LT 5287/17/21]

- (20) (i) A copy of the Annual Report (Hindi and English versions) of the Marian Service Society, Palakkad, for the year 2011-2012, alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Marian Service Society, Palakkad, for the year 2011-2012.

(21) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (20) above.

[Placed in Library, See No. LT 5288/17/21]

(22) (i) A copy of the Annual Report (Hindi and English versions) of the Helen Keller's School for Deaf & Mentally Retarded Children, Secunderabad, for the year 2011-2012 and 2013-2014, alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Helen Keller's School for Deaf & Mentally Retarded Children, Secunderabad, for the year 2011-2012 and 2013-2014.

(23) Two statements (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (22) above.

[Placed in Library, See No. LT 5289/17/21]

(24) (i) A copy of the Annual Report (Hindi and English versions) of the Social Welfare Centre, Thrissur, for the year 2015-2016, alongwith Audited Accounts.

(ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Social Welfare Centre, Thrissur, for the year 2015-2016.

(25) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (24) above.

[Placed in Library, See No. LT 5290/17/21]

- (26) (i) A copy of the Annual Report (Hindi and English versions) of the Sanjose Welfare Centre, Kottayam, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Sanjose Welfare Centre, Kottayam, for the year 2016-2017.
- (27) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (26) above.

[Placed in Library, See No. LT 5291/17/21]

- (28) (i) A copy of the Annual Report (Hindi and English versions) of the Ramakrishna Mission Blind Boys' Academy, Kolkata, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Ramakrishna Mission Blind Boys' Academy, Kolkata, for the year 2020-2021.

[Placed in Library, See No. LT 5292/17/21]

- (29) (i) A copy of the Annual Report (Hindi and English versions) of the Medical Care Center Trust, Vadodara, for the year 2013-2014, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Medical Care Center Trust, Vadodara, for the year 2013-2014.
- (30) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (29) above.



[Placed in Library, See No. LT 5293/17/21]

- (31) (i) A copy of the Annual Report (Hindi and English versions) of the Deaf and Dumb School, Meerut, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Deaf and Dumb School, Meerut, for the year 2020-2021.

[Placed in Library, See No. LT 5294/17/21]

- (32) (i) A copy of the Annual Report (Hindi and English versions) of the Ashray Akruiti, Hyderabad, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Ashray Akruiti, Hyderabad, for the year 2020-2021.

[Placed in Library, See No. LT 5295/17/21]

- (33) (i) A copy of the Annual Report (Hindi and English versions) of the Sadhana Society for the Mentally Handicapped, Hyderabad, for the years 2013-2014 to 2015-2016, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Sadhana Society for the Mentally Handicapped, Hyderabad, for the years 2013-2014 to 2015-2016.

- (34) Three statements (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (33) above.

[Placed in Library, See No. LT 5296/17/21]

- (35) (i) A copy of the Annual Report (Hindi and English versions) of the S.K.R. Pupils Welfare Society, Prakasam, for the year 2015-2016, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the S.K.R. Pupils Welfare Society, Prakasam, for the year 2015-2016.
- (36) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (35) above.

[Placed in Library, See No. LT 5297/17/21]

- (37) (i) A copy of the Annual Report (Hindi and English versions) of the Handicapped Development Council, Agra, for the year 2014-2015, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Handicapped Development Council, Agra, for the year 2014-2015.
- (38) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (37) above.

[Placed in Library, See No. LT 5298/17/21]

- (39) (i) A copy of the Annual Report (Hindi and English versions) of the Society of Khrist Jyoti, Varanasi, for the year 2016-2017, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Society of Khrist Jyoti, Varanasi, for the year 2016-2017.

- (40) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (39) above.

[Placed in Library, See No. LT 5299/17/21]

- (41) (i) A copy of the Annual Report (Hindi and English versions) of the Pragathi Charities, Nellore, for the year 2013-2014, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Pragathi Charities, Nellore, for the year 2013-2014.

- (42) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (41) above.

[Placed in Library, See No. LT 5300/17/21]

- (43) (i) A copy of the Annual Report (Hindi and English versions) of the Siri Institute for the Mentally Handicapped, Kakinada, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Siri Institute for the Mentally Handicapped, Kakinada, for the year 2020-2021.

[Placed in Library, See No. LT 5301/17/21]

- (44) (i) A copy of the Annual Report (Hindi and English versions) of the Tapan Rehabilitation Society, Karnal, for the year 2012-2013, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Tapan Rehabilitation Society, Karnal, for the year 2012-2013.

- (45) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (44) above.

[Placed in Library, See No. LT 5302/17/21]

- (46) (i) A copy of the Annual Report (Hindi and English versions) of the Imphal Guardian Society, Imphal, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Imphal Guardian Society, Imphal, for the year 2020-2021.

[Placed in Library, See No. LT 5303/17/21]

- (47) (i) A copy of the Annual Report (Hindi and English versions) of the Imphal Guardian Society, Imphal, for the years 2013-2014 to 2015-2016, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Imphal Guardian Society, Imphal, for the years 2013-2014 to 2015-2016.

- (48) Three statements (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (47) above.

[Placed in Library, See No. LT 5304/17/21]

- (49) (i) A copy of the Annual Report (Hindi and English versions) of the Carmel Jyothi Charitable Society, Idukki, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Carmel Jyothi Charitable Society, Idukki, for the year 2020-2021.

[Placed in Library, See No. LT 5305/17/21]

- (50) (i) A copy of the Annual Report (Hindi and English versions) of the Montfort Center for Education, Danakgre, for the year 2020- 2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Montfort Center for Education, Danakgre, for the year 2020-2021.

[Placed in Library, See No. LT 5306/17/21]

- (51) (i) A copy of the Annual Report (Hindi and English versions) of the Friends of Handicapped-India, Meerut, for the year 2020-2021, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Friends of Handicapped-India, Meerut, for the year 2020-2021.

[Placed in Library, See No. LT 5307/17/21]

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF YOUTH AFFAIRS AND SPORTS (SHRI NISITH PRAMANIK):**

Speaker Sir, with your permission, I lay following papers on the Table:-

1. (i) A copy of the Annual Report (Hindi and English versions) of the Nehru Yuva Kendra Sangathan, New Delhi, for the year 2019-2020, alongwith Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Nehru Yuva Kendra Sangathan, New Delhi, for the year 2019-2020.

2. Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Placed in Library. See no. LT 5308/17/21]

3.
  - (i) A copy of the Annual Report (Hindi and English versions) of the Lakshmibai National Institute of Physical Education, Gwalior, for the year 2019-2020, alongwith Audited Accounts.
  - (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the Lakshmibai National Institute of Physical Education, Gwalior, for the year 2019-2020.
4. Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (3) above.

[Placed in Library. See no. LT 5309/17/21]

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**12.01½ hrs**

**COMMITTEE ON ESTIMATES**

**Action Taken Statements**

*[English]*

**SHRI DILIP SAIKIA (MANGALDOI):** Sir, I beg to lay on the Table the following Action Taken Statements (English and Hindi versions) of the Estimates Committee:-

1. Statement showing action taken by Government on the Observations/ Recommendations contained in Sixth Action Taken Report of EC (16<sup>th</sup> Lok Sabha) on the Observations/ Recommendations contained in their Thirtieth Report (15<sup>th</sup> Lok Sabha) on the subject 'National Film Archive of India'.
  1. Statement showing action taken by Government on the Observations/ Recommendations contained in Nineteenth Action Taken Report of EC (16<sup>th</sup> Lok Sabha) on the Observations/ Recommendations contained in their First Report (16<sup>th</sup> Lok Sabha) on the subject 'Occurrence of High Arsenic Content in Ground Water'.
  2. Statement showing action taken by Government on the Observations/ Recommendations contained in Fifth Action Taken Report of EC (16<sup>th</sup> Lok Sabha) on the Observations/ Recommendations contained in their Thirty-first Report (16<sup>th</sup> Lok Sabha) on the subject 'Import of Uranium for Nuclear Plants'.
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**12.02 hrs**

**COMMITTEE ON EMPOWERMENT OF WOMEN**

**Action Taken Statement**

**SHRIMATI RAKSHA NIKHIL KHADSE (RAVER):** Sir, I beg to lay on the Table the Final Action Taken Statement (Hindi and English versions) showing Final Action Taken by the Government on the recommendations contained in Chapter I and Chapter V of the 2<sup>nd</sup> Report (Seventeenth Lok Sabha) of the Committee on Empowerment of Women (2019-20) on the Action Taken on the Recommendations/Observations contained in the Fifteenth Report (Sixteenth Lok Sabha) of the Committee (2018-19) on the subject “Working Conditions of Women Teachers in Schools”.

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**12.02½ hrs**

**STANDING COMMITTEE ON ENERGY**

**Action Taken Statements**

*[Translation]*

**SHRI RAJIV RANJAN SINGH ‘LALAN’:** Speaker Sir, with your permission, I lay on the Table the following Statements (Hindi and English versions) regarding Standing Committee on Energy:-

- (1) Action-taken by the Government on recommendations/ observations contained in Chapter–I of the Eighth Report (Seventeenth Lok Sabha) of the Standing Committee on Energy on action-taken by the Government on recommendations/ observations contained in the Twenty-eighth Report (Sixteenth Lok Sabha) of the Committee on the subject 'National Solar Mission – An Appraisal'.
- (2) Action-taken by the Government on recommendations/ observations contained in Chapter–I of the Eleventh Report (Seventeenth Lok Sabha) of the Standing Committee on Energy on action-taken by the Government on recommendations/ observations contained in the Fortysecond Report (Sixteenth Lok Sabha) of the Committee on the subject „Stressed/Non-Performing Assets in Gas based Power Plants“.
- (3) Action-taken by the Government on recommendations/ observations contained in Chapter–I of the Twelfth Report (Seventeenth Lok Sabha) of the Standing Committee on Energy on action-taken by the Government on recommendations/ observations contained in the Forty-third Report (Sixteenth Lok Sabha) of the Committee on the subject 'Hydro Power'.
- (4) Action taken by the Government on recommendations/ observations contained in Chapter-I of the 13<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) of the Standing Committee on Energy on action taken by the Government on

recommendations/ observations contained in the 1<sup>st</sup> Report (17<sup>th</sup> Lok Sabha) of the Committee on 'Demands for Grants of the Ministry of New and Renewable Energy for the Year 2019-20'.

- (5) Action taken by the Government on recommendations/ observations contained in Chapter-I of the 14<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) of the Standing Committee on Energy on action taken by the Government on recommendations/ observations contained in the 2<sup>nd</sup> Report (17<sup>th</sup> Lok Sabha) of the Committee on 'Demands for Grants of the Ministry of Power for the Year 2019-20'.
  - (6) Action taken by the Government on recommendations/ observations contained in Chapter-I of the 15<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) of the Standing Committee on Energy on action taken by the Government on recommendations/ observations contained in the 3<sup>rd</sup> Report (17<sup>th</sup> Lok Sabha) of the Committee on 'Demands for Grants of the Ministry of New and Renewable Energy for the Year 2020-21'.
  - (7) Action taken by the Government on recommendations/ observations contained in Chapter-I of the 6<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) of the Standing Committee on Energy on action taken by the Government on recommendations/ observations contained in the 4<sup>rd</sup> Report (17<sup>th</sup> Lok Sabha) of the Committee on 'Demands for Grants of the Ministry of Power for the Year 2020-21'.
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[English]

**12.03 hrs**

**STANDING COMMITTEE ON FOOD, CONSUMER AFFAIRS AND  
PUBLIC DISTRIBUTION**

**14<sup>th</sup> to 17<sup>th</sup> Reports**

**SHRI SUDIP BANDYOPADHYAY (KOLKATA UTTAR):** Sir, I beg to present the following Reports (Hindi and English versions) of the Standing Committee on Food, Consumer Affairs and Public Distribution (2021-22):-

1. Fourteenth Report on Action Taken by the Government on the recommendations contained in their Ninth Report (17<sup>th</sup> Lok Sabha) on Demands for Grants (2021-22) of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Food and Public Distribution).
2. Fifteenth Report on Action Taken by the Government on the recommendations contained in their Tenth Report (17<sup>th</sup> Lok Sabha) on Demands for Grants (2021-22) of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs).
3. Sixteenth Report on Action Taken by the Government on the recommendations contained in their Eleventh Report (17<sup>th</sup> Lok Sabha) on the subject 'Price Rise of Essential Commodities – Causes & Effects' of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs).
4. Seventeenth Report on Action Taken by the Government on the recommendations contained in their Twelfth Report (17<sup>th</sup> Lok Sabha) on the subject "Strengthening of Public Distribution System – Augmenting use of Technological Means and Implementation of 'One Nation, One Ration

Card' Scheme'' of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Food and Public Distribution).

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12:04 hrs

**STANDING COMMITTEE ON RURAL DEVELOPMENT AND  
PANCHAYATI RAJ**

**ACTION TAKEN STATEMENTS**

*[Translation]*

**SHRI PRATAPRAO JADHAV (BULDHANA):** Speaker Sir, with your permission, I beg to lay on the Table, the following statements (Hindi and English versions) of the Standing Committee on Rural Development and Panchayati Raj:-

- (1) 7<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) on Action Taken by the Government on recommendations contained in 1<sup>st</sup> Report (17<sup>th</sup> Lok Sabha) on 'Demands for Grants (2019-20) of the Department of Rural Development (Ministry of Rural Development).
- (2) 8<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) on Action Taken by the Government on recommendations contained in 2<sup>nd</sup> Report (17<sup>th</sup> Lok Sabha) on 'Demands for Grants (2019-20) of the Ministry of Panchayati Raj.
- (3) 10<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) on Action Taken by the Government on recommendations contained in 4<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) on 'Demands for Grants (2020-21) of the Department of Rural Development (Ministry of Rural Development).
- (4) 12<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) on Action Taken by the Government on recommendations contained in 6<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) on 'Demands for Grants (2020-21) of the Ministry of Panchayati Raj.
- (5) 17<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) on Action Taken by the Government on recommendations contained in 13<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) on 'Demands

for Grants (2021-22) of the Department of Rural Development (Ministry of Rural Development).

- (6) 18<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) on Action Taken on the recommendations contained in the 14<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) on Demands for Grants of the Department of Land Resources (Ministry of Rural Development).
  - (7) 19<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) on Action Taken by the Government on the recommendations contained in the 15<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) on Demands for Grants of the Ministry of Rural Development.
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[English]

**12.05 hrs**

**STANDING COMMITTEE ON WATER RESOURCES**

**(i) 13<sup>th</sup> and 14<sup>th</sup> Reports**

**SHRI DHANUSH M. KUMAR (TENKASI)**: Sir, I beg to present the following Reports (Hindi and English versions) of the Standing Committee on Water Resources:-

- (1) Thirteenth Report on Action Taken by the Government on the Observations/Recommendations contained in the Tenth Report on 'Demands for Grants (2021-22)' of the Ministry of Jal Shakti - Department of Water Resources, River Development & Ganga Rejuvenation.
- (2) Fourteenth Report on Action Taken by the Government on the Observations/Recommendations contained in the Eleventh Report on 'Demands for Grants (2021-22)' of the Ministry of Jal Shakti - Department of Drinking Water and Sanitation.

*[Translation]*

**(ii) Action Taken Statements**

**DR. SANJAY JAISWAL (PASCHIM CHAMPARAN):** Hon'ble Speaker Sir, I beg to present before the House the following statements (Hindi and English versions) showing Action Taken by the Government:-

1. Seventh Report on Action Taken by the Government on the Observations/ Recommendations contained in the Second Report on 'Demands for Grants (2019-20)' of the Ministry of Jal Shakti - Department of Drinking Water and Sanitation.
  2. Ninth Report on Action Taken by the Government on the Observations/ Recommendations contained in the Fourth Report on 'Demands for Grants (2020-21)' of the Ministry of Jal Shakti - Department of Drinking Water and Sanitation.
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*[English]*

**12.06 hrs**

**STATEMENT BY MINISTER**

**Status of implementation of the recommendations contained in the 16<sup>th</sup> Report of the Standing Committee on Rural Development on BPL Survey [currently Socio Economic and Caste Census (SECC), 2011] pertaining to the Department of Rural Development, Ministry of Rural Development\***

*[Translation]*

**THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION & MINISTER OF STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SADHVI NIRANJAN JYOTI):** Hon. Speaker, I would like to present before the House, the Status of implementation of the recommendations contained in the 16<sup>th</sup> Report of the Standing Committee on Rural Development on BPL Survey [currently Socio Economic and Caste Census (SECC), 2011] pertaining to the Department of Rural Development, Ministry of Rural Development\*

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\* Laid on the Table and also placed in Library, See No. LT 5267/17/21

[TRANSLATION]

**12.06<sup>1</sup>/<sub>2</sub>hrs**

**MOTION RE: 26<sup>TH</sup> REPORT OF BUSINESS ADVISORY COMMITTEE**

**SHRI ADHIR RANJAN CHOWDHURY (BAHRAMPUR):** Hon

.Speaker Sir, I hereby move the following motion:-

“that this House do agree with the 26<sup>th</sup> report of the Business Advisory Committee presented to the House on 06 December, 2021.”

**HON. SPEAKER:** The question is:

“that this House do agree with the 26<sup>th</sup> report of the Business Advisory Committee presented to the House on 06 December, 2021.”

*The motion is passed.*

**HON. SPEAKER:** Now Zero Hour – Shri Rahul Gandhiji.

*...(Interruptions)*

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*[English]*

**SHRI RAHUL GANDHI (WAYANAD):** Hon. Speaker, Sir, thank you for giving me this opportunity. *[Translation]* As the whole country knows, about 700 farmers were martyred in the farmer's movement. The Prime Minister apologized to the country and the farmers of the country and he said, he accepted that he had made a mistake.

On November 30, the Agriculture Minister was asked how many farmers were martyred in the farmer's movement. The Agriculture Minister said he did not have any data. We found out that the Punjab Government has given compensation of Rs 5 lakh to about 400 farmers and provided employment to 152 of them. I have this list, I will lay it on the table of the house.

We have made another list of 70 farmers, who belong to Haryana. I will lay that too in the house. The apology that the Prime Minister has sought and the Government is saying that no farmer has been martyred or you do not have their names, those names are here. ... *(Interruptions)* You see this and I want that the right of these farmers and also as the Prime Minister has said and sought an apology, their rights should be fulfilled and they should get compensation and employment. Thank you . ... *(Interruptions)*

**HON. SPEAKER:** Shri Dharambir Singh ji.

... *(Interruptions)*

**SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR):** Sir, at least one statement should be given. ... *(Interruptions)*

**HON. SPEAKER:** Shri T.R. Balu Ji.

... *(Interruptions)*

[English]

**SHRI T. R. BAALU (SRIPERUMBUDUR):** Hon. Speaker, Sir, I also associate myself with the issue raised by Shri Rahul Gandhi.

At the same time, I would submit that for the past two months, Tamil Nadu is under severe flood waters. Even today, our Chief Minister, Tamil Nadu has gone around the suburban areas of Chennai. For the past 31 days, it is under knee-deep waters. ... (*Interruptions*)

Sir, I along with Shri Dayanidhi Maran, have given a notice under Calling Attention yesterday. But it has not yet been charted out.

Every day, I have been seeing the List of Business, but there is no mention of it there. I have also given a notice under Rule 193 on this issue. So, when are you going to admit our matter so that we can discuss it in the House?

Sir, it is a very, very serious matter. I have been going on after you for the last 10 days requesting you to admit it. Please do it. ... (*Interruptions*)

... (*Interruptions*)

[Translation]

**HON. SPEAKER:** Hon. Members, please do not sit on the officer's seat.

... (*Interruptions*)

**SHRI DHARAMBIR SINGH (BHIWANI-MAHENDRAGARH):**

Hon. Speaker, thank you for giving me a chance to speak in zero hour. ...(*Interruptions*) From the year 2014 till date, New India, especially in regard to roads, has been built. Due to the efforts of Hon'ble Gadkari ji, a network of roads has been laid. Earlier the connectivity of the roads was very less, due to which it used to take a lot of time to go to any place, but now we can reach those places in very less time.... (*Interruptions*) through you I would like to say three-four

things about my parliamentary constituency. National Highway-334 passes through my constituency Jhajjar to Rohtak via Luhari. On this route, more than ten thousand trucks pass daily in the name of mining. This road should be made four lane road. Similarly three roads at National Highway-71 goes from Panipat, Rohtak and Gohana to Siwani with 150 km length. The road is about 152 kms long. Hon'ble Gadkari ji, in principle, had included this road in Bharat Mala Yojna.... *(Interruptions)* I urge that this road and secondly, National Highway-9 from Hisar to Rewari which was given in-principle approval five years ago, both the roads should also be included in the second program of Bharat Mala Yojana.... *(Interruptions)*

### **12.12 hrs**

*[ENGLISH]*

*At this stage, Shrimati Sonia Gandhi, Shri Rahul Gandhi, Shri T.R. Baalu and some other hon. Members left the House.*

*[Translation]*

Sir, the third road was declared by the Hon'ble Prime Minister in the Rajasthan elections which will be built from Lohani to Pahal via Rajgarh. All these three roads should be built.... *(Interruptions)* A service road from Dhani Phogat, near my area, Samaspur to Ramnagar, at Road 152 D should be built. Similarly, Speaker Sir, there are some 16 feet unpaved paths on the 152D road, from where sugarcane is transported in tractor-trolleys. The height level of these paths should be improved. Similarly, a Bhiwani Loharu National Highway No. 709 is there in my area. A bypass should be constructed in two big towns namely Luhani and Juhi, so that there won't be any traffic jam here. There are five roads attached with Bhiwani Jind 709A and 148B. A junction should be built there. ...*(Interruptions)*

**HON. SPEAKER:** You can give the remaining speech in written.

**SHRI DHARAMBIR SINGH:** Hon'ble Speaker Sir, there are two or three things left , I will give these to the Minister in writing.

*[English]*

**SHRI SUDIP BANDYOPADHYAY (KOLKATA UTTAR):** Sir, last month, our Chief Minister met the hon. Prime Minister with a very crucial issue that Border Security Forces are penetrating 50 kilometres inside the border areas. They are taking over the possession of land which is not being supported by the Government of West Bengal.

Our humble submission to the Government is that it will become a law-and-order problem, ultimately, if an encroachment upto 50 kilometres takes place in any area of the State by the Border Security Force. It was 80 kilometres in Gujarat which has now been curtailed upto 50 kilometers. It is happening not in Bengal but the same thing is happening in four other States also. Sir, you are well aware about the incident of Nagaland. This deployment of Central Forces in different places will never be good for the Government.

Therefore, our humble submission to the Government is that immediately the Central Forces should go back to the border areas according to their system and jurisdiction. The Government should also withdraw the order that BSF can take entry up to 50 kilometers of a state's jurisdiction. It is totally against the federal structure of the Government functioning. We hope that it will be implemented immediately.

**\*SHRI A. GANESHAMURTHI (ERODE):** In the Southern Railway, under the Salem Division, there are cities like Coimbatore, Tiruppur, Erode and Salem with so many industries situated around them. The labourers and other commuters working as employees in middle level capacities in various organizations travel for work every day through the trains from Erode to Tiruppur and Coimbatore.

Hon. Chief Minister of West Bengal Ms. Mamata Banerjee, when she was the hon. Railway Minister of the Union announced IZZAT Scheme which ensured 100 km travel at a cost of Rs. 25. I was the Member of Parliament representing Erode during that time also. Through this IZZAT Scheme, I was instrumental in getting 6000 monthly season passes for the labourers who went from Erode to Tiruppur, Coimbatore and Salem. There was a large number of labourers and employees who commuted to work from Erode to Tiruppur and Coimbatore during that period.

Now there is more number of labourers who use trains to commute from Erode to Tiruppur, Coimbatore and Salem. Before the spread of the COVID-19 pandemic, trains were operated in these routes. 1) Train No 66600-66601-Erode-Coimbatore-Erode passenger; 2) Train No 66608-66609-Erode-Palakkad town - Erode passenger; and 3) Train No 66602-66603-Erode-Salem-Erode passenger.

These train services which were stopped should be operated again so as to benefit thousands of commuters of this area. If possible, I urge that the IZZAT Scheme should also be made functional. The issuance of season ticket to passengers should be continued as it was before the spread of the COVID-19 pandemic. To facilitate the passengers with unreserved tickets, there should be unreserved compartments attached to all the express trains passing through Erode.

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\* English translation of the speech originally delivered in Tamil.



Thank you.

**SHRI N. K. PREMACHANDRAN (KOLLAM):** Sir, I have given a notice of adjournment. I am thankful to you for providing me an opportunity to speak in the 'Zero Hour'.

Sir, my submission is regarding the CBSE examination which was held yesterday. You may kindly see, the Class XII Mathematics examination of CBSE which was held on 6<sup>th</sup> December, 2021 was highly tough and very lengthy. Most of the questions which were asked yesterday in the CBSE Mathematics examination were out of syllabus. Also, the students are totally depressed and mentally down, which may affect their future prospects also.

Similarly, Sir, on 3<sup>rd</sup> December, the Class XII English examination of CBSE was also very tough and the questions were out of syllabus. It is creating much havoc among the students. They are depressed, and it is also affecting their psyche.

Sir, it is very important to note that the result of CBSE Class XII examinations is very important as far as higher education is concerned. For getting admission into all the professional courses, the result of XII standard is very important. So, kindly address the genuine grievance of the students by making the evaluation process very liberal. Last year also, the same thing had happened, and the Government had taken a very lenient view on this by making the evaluation process very liberal. So, I urge upon the Ministry of Education to consider this issue.

At the same time, you may kindly see, the State syllabus and the ICSE syllabus is very easy and the exams are also very easy. As far as the CBSE

exams are concerned, they are very tough, lengthy, and also the questions are out of syllabus.

Sir, thousands of students are in difficulty. It is also affecting their psyche. ... (*Interruptions*) So, I urge upon the Government to take immediate measures so as to redress the grievance of the students by making the evaluation process very liberal.

With these words, I conclude. Thank you very much. ... (*Interruptions*)

[*Translation*]

**SHRI VIVEK NARAYAN SHEJWALKAR (GWALIOR):** Hon. Speaker Sir, I want to speak about the Morar River in my Lok Sabha Constituency, Gwalior. Morar River in my Parliamentary Constituency used to have clean water. Over a period of time, this river got polluted. Some time ago, a team from the 'Namami Gange' department made a survey for its rejuvenation and river front works.

Sir, the project team of 'Namami Gange' collected detailed information from the officials of the Department of Water Resources and Gwalior Municipal Corporation regarding the Morar river during the visit. The survey team assured that they will make a comprehensive report after collecting all the details regarding the project. That work has to be done under 'People River Connect'. The work to improve the condition of the Morar River has started again.

Therefore, I would like to thank the project team of 'Namami Gange' and I would like to request them to expedite the work so that the Morar River can return to its original form. Thank you.

**SHRI RAJENDRA AGRAWAL (MEERUT):** Sir, thank you for giving me the opportunity to speak in Zero Hour.

Sir, a flyover is built at the level crossing number 52 Jurrampur crossing Bijli Bamba Bypass Kilometer 8556 on Meerut-Hapur section under Moradabad Division of Railway, whose foundation stone was laid by the then Chief Minister of Uttar Pradesh on 12th November, 2011. This flyover is part of the proposed bypass between Meerut-Hapur Road and Meerut-Delhi Road. Before the construction of this bridge, the railways must have signed a contract with Meerut or any authority, construction agency of Uttar Pradesh to build a road on both sides as per the rules. The railways completed their work but according to that contract, the road on both sides has not yet been constructed and as a result, the bridge appears to be incomplete. Due to this, there is often a traffic jam on the Bijli Bamba Bypass and the public is facing a lot of difficulties. Whose responsibility was it to build the road on both sides? How can this bridge be constructed without a detailed action plan? Such carelessness with public money is extremely worrying.

Sir, I request the Government through you that the proposed bypass between Meerut-Hapur Road and Meerut-Delhi Road may be made at the earliest and after checking the negligence made in this work, appropriate action may be taken against the officials concerned. Thank you very much for giving me the opportunity to speak.

*[English]*

**SHRI KODIKUNNIL SURESH (MAVELIKKARA):** Mr. Speaker, Sir, actually, I have given a notice for Adjournment Motion on this matter but now you have converted it into a matter of public importance to be raised in the 'Zero Hour'.

Sir, today all the media have reported a very shocking news of the barbaric incident of an alleged molestation of students in Muzaffarnagar, Uttar Pradesh.

[Translation]

**HON. SPEAKER:** We don't discuss about the media report here. You are a senior Member. No.

[English]

**SHRI KODIKUNNIL SURESH:** Sir, I am just pointing this out.

Sir, the barbaric incident of an alleged molestation of 17 students, who were taken from their homes on the pretext of a CBSE practical exam, and the subsequent registration of FIR against the managers of two schools in UP's Muzaffarnagar is yet another example of lawlessness and precarious safety of women and children in Uttar Pradesh where both the police and the Government are acting in connivance with the criminals and wrong doers.

It is disturbing to note that while stringent provisions for registering cases of POCSO are in place, even after a fortnight, the accused are yet to be arrested and thereby they have been given ample opportunity to abscond and destroy the evidence in the process.

Hon. Speaker, Sir, the fact that the girls were allegedly fed food laced with sedatives and molested on the night of 17<sup>th</sup> November speaks volumes about an elaborate conspiracy with more perpetrators involved and a plot that is more hideous than its *prima facie* appearance. ... (*Interruptions*)

Hon. Speaker, Sir, I would like to request, through you, that the Government should discuss this matter and take action to seek a report from the Governor of Uttar Pradesh and revoke the licence of schools that are a part of this crime and also a judicial investigation is instituted.

*[Translation]*

**SHRI MANOJ KOTAK (MUMBAI NORTH-EAST):** Sir, thank you for giving me an opportunity to speak.

Sir, the Powai pond in my Parliamentary Constituency is a historical pond. It is our responsibility to maintain this 125 years old pond. This pond has the status of a heritage. The local authority has started the work of constructing a cycle track around this pond. Priority should have been given to the maintenance of this pond, preventing sewage water disposal from the nearby societies to the pond but instead, a cycle track is going to be built there which can be a danger to biodiversity. Special species of crocodile and snakes are found here and the construction of the cycle track can be a danger to these species. It is my request to the Government to send a panel of environmental experts for the maintenance of this pond and to stop the work started around this historical pond in the interest of lovers of the environment.

**SHRI SATYADEV PACHAURI (KANPUR):** Sir, through you, I would like to draw the attention of the Minister of Labour and Employment towards the construction of an ESIC hospital in my Parliamentary Constituency in the public interest.

Sir, Kanpur is a big industrial area. Lakhs of insured labourers work here. Pandu Nagar Hospital is a 300 bedded hospital where 70 to 80 thousand labourers come for treatment. In the year 2016, the construction of a Super Specialty Hospital with the cost of 376 crore rupees started.

Hon. Minister has done its Bhoomi Pujan. Pieces of equipment have also been brought but the building is incomplete and there is not any doctor. The old hospital has also closed. Only an OPD facility is available there. This hospital is not just for Kanpur. Labourers from Jhansi, Bundhelkand, Hamirpur, Fatehpur,

and other places also used to come here for treatment. Several times I tried to complete the construction of the said hospital. The equipments that have been purchased are rusting. Equipments should be installed and doctors should be appointed so that the insured labourers can get proper treatment. Therefore, I would like to request the hon. Minister of Labour and Employment to pay attention to this matter and to complete the construction of the hospital so as to avail the facility of treatment to the labourers. Thank you very much.

*[English]*

**SHRI LAVU SRIKRISHNA DEVARAYAL (NARASARAOPET):**

Thank you, hon. Speaker, Sir. I would like to bring to the attention of the House an important matter regarding urgent maintenance of Srisailam and Nagarjunasagar Dams.

The Srisailam Dam is the second largest capacity working hydroelectric station in the country. Nagarjunasagar Dam is the tallest masonry dam and has the largest canal system in India. A large quantum of people in Andhra Pradesh and Telangana are dependent on these two dams. Some repair work has been carried out in the Srisailam dam but recommendations made by the DRIP expert panel lie unimplemented. The widening plunge pool at the base of Srisailam is in a dangerous situation.

In 2020, the right canal gate of Nagarjunasagar dam broke away and a huge quantity of water got wasted during that time. Therefore, the entire dam needs maintenance to prevent more such accidents. An influx of capital and manpower is needed to ensure safety.

Sir, I request that urgent repair work should be carried out on Srisailam and Nagarjunasagar dams with the help of the Government. The plunge pool management, which is an important aspect of dam maintenance and safety,

requires urgent attention. A dam burst analysis of dams should be conducted to record the effects, in case the dams burst.....(*Interruptions*)

Sir, both these dams fall under the jurisdiction of Krishna River Management Board (KRMB). Instead of quoting technicalities and shying away from this, the Hon. Jal Shakti Minister should own this responsibility and focus on ensuring dam safety. Thank you, Sir.

**ADV. DEAN KURIAKOSE (IDUKKI):** Sir, yesterday I raised the Mullaperiyar dam shutter management issue. I did not want to repeat that subject again but yesterday night about 12,000 cusecs of water has been released by the Government Tamil Nadu in the downstream. I seek the intervention of the Hon. Prime Minister to get this issue resolved and ask the Tamil Nadu Government to stop this inhuman activity of releasing this huge quantity of water. That is my Adjournment Motion notice for today as well.

Sir, my today's 'Zero Hour' submission is with regard to Minimum Support Price for cardamom. Out of the total production of cardamom in India, about 60 percent is produced in my district. At present the cardamom farmers are in a critical situation. Due to COVID-19 pandemic all over the country and the implementation of farm laws, anybody can trade it online from anywhere, without any control of the Spices Board. That is the main issue ...(*Interruptions*)

Therefore, we request the Government to first include this commercial crop in the CACP list and then announce an MSP of Rs. 2000 per kilogram for cardamom. Thank you, Sir.

*[Translation]*

**HON. SPEAKER:** Dr. Rajdeep Roy.

**DR. RAJDEEP ROY (SILCHAR):** Sir, you have given me permission to speak in my mother tongue, I thank you very much for this.

**HON. SPEAKER:** Have you served the notice?

**DR. RAJDEEP ROY:** Yes Sir, I have served the notice to speak in Bengali.

*[English]*

\*Hon. Speaker, Sir, today I take the floor to raise a very important issue and draw the attention of this august House to that matter. This is not the problem of my constituency only; such heinous crime is being carried out by a group of conspirators in other parts of the country as well. Sir, the area and constituency I hail from are facing this unique problem. Particularly the pensioners, the people who have inhabited there after retirement, their hard earned money is being swindled from their bank accounts regularly. These hapless people have toiled hard, throughout their lives to earn that money. But the money is being siphoned off fraudulently. The victims are reporting the matter to the police authorities, who are no doubt registering the cases, because in Assam, police are responsive enough. But the problem is that, police are expressing their inability citing the fact that they don't have any mechanism to catch these fraudsters. When the victims go to the banks for redressal, the officials of the bank also express their inability as they also do not have any technological knowhow at their disposal to trace and catch the culprits. I have collected the latest data from my people today according to which in 2019, 276 cases, in 2020, 197 cases and this year, so far 231 incidents have taken places. If I take all the 545 constituencies together and multiply the number, then we will be able to gauge the quantum of such fraud cases that's prevalent in the entire country. I have an unconfirmed data that shows that in a particular state this is happening. Sir, I will just conclude in a moment please. Through you Sir, I urge upon the Honourable Minister of Home Affairs and Honourable Finance

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\* English translation of this part of the Speech originally delivered in Bengali.



Minister to bring a special legislation so that the bank savings of the common people can be protected from the swindlers. Thank you Sir. \*

*[Translation]*

**SHRI RAJVEER DILER (HATHRAS):** Sir, through you, I want to draw attention of the House towards my constituency Hathras. Hon'ble Speaker Sir, Kalka mail and Mahananda Express trains used to halt at Hathras junction, which was stopped during Corona period. Due to this, people of this region are suffering a lot of trouble. Earlier also I had demanded halting of these two trains at Hathras junction on the heavy demand of people of this region. But, this matter has not been redressed yet. I request to the Hon'ble Minister of Railways that alongwith the above mentioned two trains, Magadh Express and Purva Express should also have one minute halt at Hathras junction. Thank you.

**SHRI MOHANBHAI KUNDARIYA (RAJKOT):** Hon'ble Speaker Sir, I wish to draw the attention of Hon'ble Minister of Railways through you that in my constituency doubling of Rajkot-Surendernagar railway line is going on for a long time. When will that work complete? This doubling is not only useful for Rajkot but for the people of whole Saurashtra region. Pilgrims and tourists from all over the world come to the Saurashtra region to see the historic Somnath, Dwarka temples and Gir forest. Therefor, I Would like to draw the attention of Hon. Minister through you to complete the doubling of Surendernagar-Rajkot line at the earliest.

*[English]*

**Dr. T.R. PAARIVENDHAR (PERAMBALUR):** Hon. Speaker, Sir, I thank you for giving me the time to speak.

In my Parliamentary constituency, Perambalur, we require a railway over-bridge on Kulithalai-Manaparai Road. Due to lack of railway over-bridge, the

public is facing many problems, like heavy traffic in peak hours, delay of school vehicles, more fuel consumption and even struggle by ambulance to reach government hospital and other private hospitals in Kulithalai, because of the frequent closure of the railway crossing. A sad incident had happened on 10.08.2015 when the Panchayat President of a village expired due to cardiac arrest as he could not reach the hospital which is on the other side of the railway line.

Sir, the request for construction of this railway over-bridge has been pending for several decades. I would like to request the Central and State Government authorities, through you, to look into this matter and see that the railway bridge is sanctioned. Thank you.

*[Translation]*

**SHRI M. BADRUDDIN AJMAL (DHUBRI):** Sir, I want to draw your attention to a very serious matter pertaining to Assam. An order was passed by Assam Government on 22 September, 2021 without making any alternative arrangement ...(*Interruptions*). There are many villages in Sipjare region of Assam's Darang district, where more than 800 families live. They have been made homeless. They used to live there since last fifty years. Now winter has started in Assam. The storms and rain occur in this season. You have left them in open fields. No arrangements have been done by Government there. There was a school as well as a hospital. Every kind of arrangement was there but no place was earmarked for the study of children. Today they have been left under the open sky. These kinds of things been going on in whole Assam.

I request you to stop it immediately and alternative arrangement should be done for it.

جناب بدرالدین اجمل (دھبری): جناب میں آپ کا دھیان آسام کے ایک بہت ہی سنگین معاملے کی طرف دلانا چاہتا ہوں۔ 22 ستمبر، 2021 کو آسام سرکار کی طرف سے بغیر کسی الٹر نیٹیو انتظام

کے ایک آرڈر آیا (مداخلت). آسام میں درنگ ضلع کے سپاچارے علاقے میں کئی گاؤں ہیں، جہاں 800 سے زیادہ فیملیز رہتی ہیں، ان کو بے گھر کر دیا گیا ہے۔ وہ 50 سالوں سے وہاں کے رہنے والے لوگ ہیں۔ ابھی پورے آسام میں سردی شروع ہو گئی ہے۔ وہاں طوفان آتے ہیں، بارش بھی ہوتی ہے۔ آج ان کو کھلے میدان میں چھوڑ دیا گیا ہے۔ ان کے لئے سرکار نے کوئی انتظامات نہیں کئے ہیں۔ وہاں اسکول بھی تھا اور اسپتال بھی تھا، سبھی قسم کا انتظام تھا، لیکن بچوں کو پڑھنے کے لئے کوئی جگہ نہیں رکھی گئی۔ آج ان کو کھلے آسمان کے نیچے چھوڑ دیا گیا ہے۔ اس طرح سے پورے آسام میں چل رہا ہے۔

جناب، میں آپ سے گزارش کروں گا کہ اس کو فوراً بند کیا جائے اور ان کے لئے کوئی نہ کوئی الٹر نیٹیو انتظام کیا جائے۔

[English]

**SHRI T.N. PRATHAPAN (THRISSUR):** Hon. Speaker, Sir, the current inflation and the price hike in the country is a clear example of failure of this Government. For the last seven years, this country has seen how a .....\* Sarkar can destroy a nation.....(Interruptions)

[Translation]

**HON. SPEAKER:** Hon. Member, is it a subject of Zero Hour? Please conclude within a minute.

...(Interruptions)

**HON. SPEAKER:** Hon. Member, during Zero Hour, raise the matters related to your constituency. It is not correct to raise other bigger issues during Zero Hour.

...(Interruptions)

**HON. SPEAKER:** Debate will be conducted on this topic.

...(Interruptions)

*[English]*

**SHRI T.N. PRATHAPAN:** There are two GDPs in India. On the one hand prices of Gas, Diesel, Petrol are increasing, and on the other hand, Gross Domestic Product is decreasing. It is a paradoxical Government with paradoxical policies. When I bought tomatoes last month, the price was Rs. 50 per kilo. Now, the price is Rs. 110 per kilo. The price of potatoes was Rs. 19 per kilo. Now, it is Rs. 35 per kilo. I do not want to read the disappointing list. ....(Interruptions) Eighty per cent of our population is suffering and the Government is pleasing their corporate friends. Government is.....\* through taxation..... (Interruptions)

*[Translation]*

**HON'BLE SPEAKER:** Shri Rajiv Pratap Rudy.

..... *(Interruptions)*

**SHRI RAJIV PRATAP RUDY (SARAN):** Sir, his mike should be switched off immediately. ...*(Interruptions)* Hon'ble Speaker Sir, it is my good fortune that you are sitting in House as our Hon'ble Speaker ...*(Interruptions)*

Sir, it is unfair. Hon'ble Member can speak after me. ....*(Interruptions)*

*[English]*

**SHRI T.N. PRATHAPAN:** Sir, I am concluding ...*(Interruptions)*

*[Translation]*

**HON. SPEAKER:** What will you conclude? You cannot conclude like this, as you are telling rates of tomato and potato.

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\* Not recorded

.....(*Interruptions*)

[*English*]

**SHRI T.N. PRATHAPAN:** This Government does not feel responsible. Please stop this circus and save our country. This Government is doing nothing to solve this because their corporate friends are loaned like kiths. ...(*Interruptions*)

[*Translation*]

**SHRI RAJIV PRATAP RUDY:** Sir, the responsibility to make policy for nation is on the highest institute NITI Aayog, whose Vice President is ....\* and CEO is .....\* . (*Interruptions*)

**HON. SPEAKER:** Please don't mention anyone's name.

.....(*Interruptions*)

**SHRI RAJIV PRATAP RUDY:** Sir, that is a published document, it is available in Parliament also. It is in front of whole India. These are Government person. Hon. Prime Minister is President of NITI Aayog.

Sir, these people have now published a report on whole India. That report has been given the title of 'National Multidimensional Poverty Index, which has been vetted by UNDP. This report has been published in India. It covers Rajasthan and Bihar also. The report is on Health, Nutrition and Child Mortality. It has been certified that which state is poorest in whole country and what were the standards applied for it. The best performing states have been mentioned in it. This is very important. The House will be surprised to know that today Bihar is at 51 Percent in Multi Poverty Index among 28 States, which is the lowest in

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\* Not recorded

India. Tamilnadu is the highest in India. There are four percent people under Poverty Index in this particular report of NITI Aayog.

Hon. Sir, you will be surprised to know that despite being a big State, Tamilnadu is the best State while Bihar is at the lowest in this multi-dimensional Poverty Index. Hon. Ravi Shankar Prasad ji is present here and he will agree with me on this matter. Hon'ble Giriraj Singh ji is also present in the House. We are 52 percent less in nutrition. The mental health of our Bihar is 45 percent lesser. At 12 percent, the school attendance in Bihar is the lowest in the country. We are lagging behind by 73 percent in sanitation. Bihar, at 24 percent is the lowest in India in terms of assets like T.V. Fridge, Cars. In the report of Government of India, this has been termed as 'Backward'. I, being a Member of Parliament from the same 'Backward State', have declared myself also backward so as to tell the conditions of Bihar to the entire India and ask for help from you all and this House. The country cannot progress, until Bihar progresses. That is why, I am raising this issue repeatedly that if the country is to move forward; these 14 Crore people will have to be taken along. Kishanganj, Araria, Madhepura are the poorest districts of country. Hon. Sir, I am calling on the House with anguish that we won't be able to accomplish the task of nation building, if these 12 Crore people continued to be ignored.

Hon. Speaker Sir, through you, I ask the Government of this country and the Government of Bihar to listen to the demands of the backward people of this backward State and act upon them.

**HON. SPEAKER:** Dr. G. Ranjith Reddy. ... (*Interruptions*)

*[English]*

**DR. KALANIDHI VEERASWAMY (CHENNAI NORTH):** Sir, the recent monsoons have wrecked havoc in South Indian States. Andhra Pradesh, Kerala, parts of Kerala, Puducherry and Tamil Nadu were badly affected. Especially in Tamil Nadu, it has recorded the third highest amount of rains ever in the history over the last 200 years. So, it has caused a lot of inundation, and more than 1,50,000 acres of farmlands have been destroyed. Hon. Chief Minister has written to the Central Government seeking relief where about Rs. 2,500 crore of interim relief is being requested. I request you to provide that.

Also, there is an App called MAUSAM. So, when flying to and from Delhi, I was told, weather is bad. The App is also very bad because the App does not give adequate details about forecasting of rains which is very useful for the common people. It is only available in Hindi and English. I request that the App should be made available in all regional languages, so that everybody can get benefit from that.

**SHRI TALARI RANGAIAH (ANANTAPUR):** Sir, please allow me to tell you why we need caste-based Census. Our Indian society is stratified on the basis of caste, whether we believe it or not or whether we agree with it or not. It is a ground reality that all Indians are not equal socially and economically.

In this country, the top 10 per cent population owns, shares and enjoys 74.3 per cent of the nation's wealth, while the bottom 50 per cent population are depending only on 2.8 per cent of the nation's wealth, and 40 per cent of the population holds 22.9 per cent of the nation's wealth. This data clearly gives us a clear picture of the increasing class-based inequality in Indian society. We are sitting in the country's highest law making body. We must reduce the gap between the rich and the poor.

It is high time to take up caste-based Census in order to get clarity on which caste groups have benefitted from the development story of India and which caste groups have been left out.

I am very happy to inform this august House that the Legislative Assembly of my State Andhra Pradesh under the dynamic leadership of Y.S. Jagan Mohan Reddy Garu has resolved unanimously and recommended to the Government of India to take up caste-based Census. Hence, I request the Central Government to conduct the caste-based Census at the earliest without further delay.

**SHRI ADHIR RANJAN CHOWDHURY:** Sir, I would like to draw the attention of the Government that Resident Doctors of medical colleges across the country have been resorting to strikes as a consequence of which the entire health service has been adversely affected. Therefore, I would like to flag the attention of the Government that at least they should come forward and try to proactively solve the issue.

We all are aware that COVID-19 new variant Omicron is becoming a new looming threat, which has already started emerging in our country and to that score those Resident Doctors are supposed to play a very significant role. According to their statement, India has been suffering a shortage of 40,000 doctors, and right at this situation when we are destined to face the onslaught of Omicron afresh, we need the services of these doctors. The doctors are protesting that the NEET PG Counselling process is being delayed by the lackadaisical attitude of this Government. So, the doctors from across the country have been resorting to such kind of strikes as a gesture of protest so as to draw the attention of this Government. So, the Government should come forward and take remedial measures as early as possible. Thank you, Sir.



**SHRI D.M. KATHIR ANAND (VELLORE):** Thank you, hon. Speaker, Sir. Ambur and Vaniyambadi are two important commercial towns in my Vellore Lok Sabha Constituency, and both contribute substantially to foreign exchange and our exchequer.

Construction of a Rail Over Bridge at Vaniyambadi and Reddy Thoppu in Ambur are pending for several years. It is LC – 533. These two RoBs are very important for the passage of commuters of all walks of life including office goers, school and college students. At Reddy Thoppu, the existing underpass is awfully inadequate for large number of commuters who have no other way to cross from both sides. During rain, the underpass gets filled with rain water and sewerage water. This is the plight of people of Ambur, which can be solved only by construction of a RoB at Reddy Thoppu area in Ambur. This construction will benefit the entire area. I have raised this issue many times in this august House, but still this project is pending and it is not being taken up.

Secondly, before Corona started, there were three trains, namely, Kaveri Express, Yercaud Express and Samraj Express, which had stoppage at Ambur station, but after Corona it has no stoppage there. So, I would request, through the hon. Speaker, to provide stoppage at this station.

Another town is Vaniyambadi where there is a need to construct a bridge at LC – 81 as nearly 120 trains cross LC – 81. Otherwise, people cannot commute from this side to the other and they are all stranded. So, we definitely need a RoB. This project had commenced some years ago, but we do not know the reason for this project getting stopped again. I would request, through the hon. Speaker, to expedite this project of a RoB at Vaniyambadi too. Thank you, Sir.

*[Translation]*

**SHRI GOPAL JEE THAKUR (DARBHANGA):** Hon. Speaker Sir, the entire Mithila region including my constituency Darbhanga is flood prone region. Majority of population of this region is forced to migrate to other States and Metro cities during rainy season due to lack of industries and factories. They have the responsibility of sustenance of their family. Wheat, Maize, Oil seeds and pulses are the main crops produced by farmers in Mithila region. The farmers require D.A.P. and Urea fertilizers while sowing these crops. There has been a shortage of both these fertilizers particularly in Mithila region and my constituency, due to which the farmers are quite distressed.

I would like to demand from the Hon. Minister through you that sufficient quantities of D.A.P. and Urea may be sent to Darbhanga and Mithila regions for immediate solution of the problem so that it can be utilized by the farmers during sowing. Hoarding by middlemen in case of fertilizers must be reined in by the State Government.

**SHRI ASHOK MAHADEORAO NETE (GADCHIROLI-CHIMUR):** Thank you, Hon. Speaker Sir, for giving me an opportunity to ask a very important question of my parliamentary constituency. My constituency in Maharashtra is Gadchiroli- Chimur which is probably the biggest and densely tribal dominated, Naxal affected, under-developed and region without industries. My constituency includes three districts of Gadchiroli, Chandrapur and Gondia. There has been great loss of crops due to heavy rains in last November month in all the three districts. There has been loss of crops of Cotton, Toor, Rice, Soyabean etc. due to which the farmers are in distress. Already, there is crisis due to Corona and now there is crisis of loss of crops. This has put the farmers in worry of marriage of their children, their studies and sustenance. It is my demand from the Government through you that compensation may be paid to

those farmers who have suffered loss of crops by undertaking urgent survey since there has been loss of thousands hectares of crops. They are demanding that a compensation of Rs. 10,000 per acre and Rs. 25,000 per hectare should be paid. My another demand is that a team may be sent for their survey and Panchnama through the Central Government.

**HON. SPEAKER:** New Member of Parliament from Khandwa has come for the first time after election. He also wants to speak for the first time.

Shri Gyaneshwar Patil ji.

**SHRI GYANESHWAR PATIL (KHANDWA):** Thank you, Hon, Speaker Sir, for giving me an opportunity to speak. I would like to apprise the Hon'ble Agriculture Minister regarding my constituency, Khandwa that the farmers are not able to get the benefits of Prime Minister Crop Insurance Scheme for the past two years. Banana, Sugarcane, Cotton, Chilli, Pulses and oil seeds are all the crops grown in my constituency, Khandwa. There have been calamities like gale, storm and the like, but the farmers are not getting the benefit of Prime Minister Crop Insurance Scheme which ought to have been given to them. I would like to thank Hon'ble Prime Minister that keeping the concerns of the farmers in mind, he has started the Prime Minister Crop Insurance Scheme. Earlier, the farmers received its benefits, but they are not getting it for the past two years.

I, urge the Hon'ble Agriculture Minister through you to kindly solve the problems of our farmers. Thank you.

**SHRI S. S. AHLUWALIA (BARDHAMAN-DURGAPUR):** Thank you, Hon. Speaker Sir. I had requested for speaking in Bengali. I hope, interpretation facility will be available for this.

\*Hon'ble Speaker Sir, last week a cyclone named 'Jawad' struck the Bay of Bengal. This is an Arabic name. The meaning of 'Jawad' is liberal. But this cyclone was not that liberal with West Bengal and Odisha. This cyclone has affected vast tracts of cultivable land. The potatoes, paddy, mustard, onions grown on the land were completely destroyed. I am a Member of Parliament from Bardhaman. Bardhaman is known as the 'granary of West Bengal'. I represent that very part of Bengal in Lok Sabha. Lakhs of hectares of cultivable land have been damaged due to this cyclonic storm. Paddy crops have been hugely affected. Sir, I would like to tell you that a variety of rice called 'Gobindobhog' is produced in our Burdwan district. This rice is used as offerings to Lord Govinda. This variety is cultivated there, but this crop has been utterly damaged. But the most unfortunate thing is that the 'Pradhan Mantri Fasal Bima Yojana' has not been implemented in the state of West Bengal. It is a matter of great concern. As a result, I would like to draw the kind attention of Hon'ble Prime Minister through you Sir to the fact that a high-level investigating team is required to be sent to West Bengal to get a clear picture of the actual loss due to natural calamity and also to find out how the hapless farmers can be compensated. Since the 'Pradhan Mantri Fasal Bima Yojana' is non-existent in that state, I request Honourable Prime Minister to send a high level investigating team and seek report on the ground reality. If this initiative is taken to extend a helping hand to the hapless farmers, the people of West Bengal would remain highly obliged.

Thank you Sir.\*

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\* ...\* English Translation of this part of the speech originally delivered in Bengali.

*[English]*

**SHRI P. RAVINDHRANATH (THENI):** In Tamil Nadu, grapes are cultivated in an area of 2,800 hectare out of which 2,184 hectare of land is in my Theni Parliamentary constituency.

The district of Theni accounts for a major share of grape cultivation in Tamil Nadu. To extend the cultivation of grape varieties, to encourage involvement of farmers in grape cultivation with the application of scientific methods and to increase research and development programmes, I request the Government to take appropriate action to include the Grapes Research Station in Annamalaipatti, which is in my constituency, Theni, in one of the regular centres under Indian Council for Agricultural Research, All India Coordinated Research Project on Fruits Programme with adequate staff, funds and infrastructure.

**\*DR. AMAR SINGH (FATEHGARH SAHIB):** Thank you, Hon'ble Speaker Sir. Sir, I hail from Fatehgarh Sahib, erstwhile Sirhind. Today, I want to draw your attention towards the martyrdom of two younger sons of our tenth Guru Shri Gobind Singh ji. They had been walled alive here a few hundred years ago. In 1705, Baba Zorawar Singh ji and Baba Fateh Singh ji, two younger sons of our tenth Guru were martyred here.

Every year, Shahidi Jor Mel or mourning days are observed here in December. Crores of devotees congregate here and wail and mourn the martyrdom of 10<sup>th</sup> Guru ji's two sons. But the Indian Railway has stopped our religion's trains like Sachkhand Express, Hemkund Express, and Begampura Sarayu etc. from having a halt at Fatehgarh Sahib (Sirhind). The Sikh devotees are facing a lot of hardship due to this move.

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\* English translation of the speech originally delivered in Punjabi.

Sir, I demand that the halts of all these trains must be restored at Fatehgarh Sahib. Also, new trains should be started for Fatehgarh Sahib in the month of December as over one crore devotees gather there to mourn the martyrdom of two sons of our 10<sup>th</sup> Guru ji. Fatehgarh Sahib should also be brought in the International Circuit as it is a very famous historical and religious place for Sikhs.

Thank you.

**SHRIMATI HEMAMALINI (MATHURA):** My subject is regarding the amendments in the Prevention of Cruelty to Animals Act, 1960. I am sure that many animal lovers, especially the younger generation, will be very happy that I am bringing this subject in the House today. Article 51(a) of the Constitution states: 'it is the fundamental duty of every Indian citizen to protect and improve the natural environment (forest, rivers, lakes and wildlife) and to have compassion for living creatures'.

### **13.00 hrs**

Nonetheless, numerous incidents of animal cruelty have been brought to light through media in recent years. Brutal crimes against animals such as the death of a pregnant elephant that ate a pineapple with explosive in it, dog beaten to death, puppies set on fire, dragging dogs tied to a scooter, rape of cow and execution of monkeys putting them on fire just for their own pleasure, are reported from across the country.

The Prevention of Cruelty to Animals Act, 1960 is a legislation that exclusively makes the provision to prevent the infliction of unnecessary pain or suffering on animals. The Prevention of Cruelty to Animals Act is now more than six decades old legislation with no major amendments in recent times. Monetary fines imposed for crimes against animals continue to be meagre in the range of Rs.10 to Rs.100. This could be one reason the legislation has not been

able to act as a deterrent to animal cruelty. Severe punishment should be levied on these cruel people.

As informed to me, the Government has received many suggestions, petitions, requests from various organisations working for animal rights to increase the existing penalty. The Government acknowledged that penalties prescribed in the Prevention of Cruelty to Animals Act, 1960 are minimal and do not act as a deterrent. The 261<sup>st</sup> Report of the Law Commission had laid down some guidelines and listed suggestions in 2015 which have not yet been incorporated.

Mr. Speaker, Sir, it is high time India had a stronger animal protection law to prevent cruelties. My request to the Government is that it must strengthen the country's animal protection law making amendments to Prevention of Cruelty to Animals Act, 1960. Thank you.

[Translation]

**HON. SPEAKER:** Hon. Members, please conclude your speeches in one minute. The bell will ring after one minute. All the Members should be ready for that. Those hon. Members who didn't get the opportunity to speak yesterday will be given time today and those who got the opportunity to speak yesterday may not get the chance to speak today.

....(Interruptions)

[English]

**13.02 hrs**

(Shri N. K. Premachandran *in the Chair*)

**SHRI M.V.V. SATYANARAYANA (VISAKHAPATNAM):** Sir, the State Government of Andhra Pradesh, under the dynamic leadership of Shri Y.S. Jagan Mohan Reddy, has adopted a Resolution in the State Assembly requesting the Centre to drop the proposal of privatisation of Vizag Steel Plant. The Government of India is yet to take a decision on it. I am happy to say that this is the only steel plant in India which was awarded four-star rating in exports of steel by DGFT.

I would also like to draw the attention of the Government of India to the fact that Vizag Steel Plant has made a huge investment in OMDC, Odisha but till date no raw material has reached the plant. In spite of the fact that Vizag Steel Plant is a Navaratna company under the Ministry of Steel, no permission has been given to it to raise funds from public or private banks. This is very pathetic. I request the Government to allot iron ore mines immediately and drop the decision of privatisation.

Vizag Steel Plant has expanded its capacity without a sixth coke oven battery. But in order to produce coke, the steel plant is waiting for permission to construct the battery. I feel very sad to bring to the notice of the House that no



spare parts are available for maintenance of the plant and specially in batteries. I, therefore, urge upon the Government through the august House to provide necessary assistance at the earliest possible. I urge upon the Government not to privatise the Vizag Steel Plant as it is connected with the sentiments of the people of Andhra Pradesh. Thank you.

*[Translation]*

**SHRI SUSHIL KUMAR SINGH (AURANGABAD):** Thank you, Chairperson Sir.

Sir, my Parliamentary Constituency, Aurangabad and Gaya districts are in Bihar. Both of the districts are Naxal affected districts and these two districts are included in the list of Aspirational districts under the scheme started by the Prime Minister to develop the backward districts across the country.

Through you, I would like to request the Government and fortunately, the Minister of Rural Development, Shri Giriraj Singh is present in the House. The roads which have been constructed in both of these districts in my Parliamentary Constituency two years ago under the Pradhan Mantri Gramin Sadak Yojana are currently in dilapidated condition due to the poor quality of construction and lack of maintenance. No tender has been released recently for the construction of new roads. Therefore, my Parliamentary Constituency is backward in terms of roads. By the way, Bihar is backward. Now, Rudy Ji has been talking about it. ...(Interruptions) I am concluding my speech now.

**HON. CHAIRPERSON:** Please put your demand.

*[English]*

**SHRI SUSHIL KUMAR SINGH:** Sir, I am concluding.

**HON. CHAIRPERSON:** Please put your demand.

*[Translation]*

**SHRI SUSHIL KUMAR SINGH:** Hon.Chairperson, I request the hon. Minister, Shri Giriraj Singh Ji to construct new roads under PMGSY in my Parliamentary Constituencies which are Naxal affected districts and Aspirational districts. In addition to this, the maintenance work should be completed as soon as possible with quality and the construction work of the rest of the bridges may be completed. Thank you.

**SHRI SANJAY SETH (RANCHI):** Thank you, Chairperson Sir. I would like to draw your attention to a very important topic. When the name of the country is Bharat from the time immemorial, what is the need to write and tell 'India, that is Bharat'? Why there is a need to take words from English? From the middle age, when the people from Iran and Sindhu were not able to say 'Sindhu', they started calling it 'Hindu' and gradually the name of the country changed to Hindustan instead of Bharat. When the English people faced difficulties in saying Hindustan, they started calling Bharat 'India' by being influenced by the word 'Indus Valley'. It is an insult to this large country and its glorious history to say 'India, that is Bharat' by being influenced by the name given by the foreigners. Our sages used to call our country by different names before the foreigners used to call our country, India and names such as Bharat Varsh, Aayavart, Brahvar, Jambudweep, etc are mentioned in the Indian texts. It is not justifiable to call Bharat India and to give universality to India by saying 'India, that is Bharat' by forgetting these glorious names.

Sir, It is my request to this House to call our country Bharat and to end the tradition of saying, 'India, that is Bharat'.

*[English]*

**HON. CHAIRPERSON:** See, there are more than 60 Members to speak. Hon. Speaker has allowed all the Members to raise their issues. So, I request all the hon. Members to confine their submission to one minute. You please put your demand with minimal observation.

**\*DR. PRITAM GOPINATHRAO MUNDE (BEED):** Thank you very much. Hon'ble Chairman Sir, I would like to speak in my mother tongue Marathi. Government of Maharashtra is very indifferent towards the issues of Maratha and OBC Reservation. It is also very careless about the issue of SC/ST Reservation and their promotions. These are the issues which I would like to raise today. But, yesterday when the entire country was observing Dr Babasaheb Ambedkar's Mahaparinirvan Day, Supreme Court of India gave its verdict abolishing the political reservation of OBCs. It is really regrettable and shameful that this verdict came on this very day. Now, the Government should postpone the coming election on the basis of this Supreme Court decision and I would like to share my views in this regard.

Panchayati Raj Amendment Bill came into existence in the year 1962 in Maharashtra and it was further amended after the implementation of Mandal Commission Report in the year 1994. It was a statutory decision to provide political reservation to OBCs and not a constitutional one. We should carefully read the Supreme Court decision to understand it.

Government of Maharashtra is indulging in the blame game only. It is a matter of fact that no OBC census took place post independence and even the central government has no concrete information about empirical data of OBCs.

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\* English translation of the speech originally delivered in Marathi.

Political reservation was there just because of the positive approach of the political parties and their leaders who were in power in Maharashtra. But, today's Maharashtra Government is not much serious about OBC reservation. I am not a spokesperson of any political party and it is my personal sentiments for OBCs.

**SHRI RAJMOHAN UNNITHAN (KASARAGOD):** Swadeshi Darshan Scheme is a scheme of the Ministry of Tourism, under the Government of India. The scheme aims to promote, develop, and harness the potential of tourism in India. This is a Central Scheme which is hundred per cent funded by the Government of India. The entire scheme is based on theme-based tourism. Each theme is called a 'circuit' and is composed of various tourist destinations. 'Tourist Circuit' is defined as a route having at least three major tourist destinations which are distinct and apart.

Bekal Fort built by Shivappa Nayaka of Keladi in 1650 AD at Bekal in Kasargod district is the largest fort in Kerala, spreading over 40 acres of land. Kasargod has a legion of ancient and medieval forts in addition to Bekal Fort like Hosdurg Fort, Chandragiri Fort and Povval Fort.

Hence, I pray the Government of India to constitute a Fort Circuit in Kasargod under the Swadeshi Darshan Scheme.

**HON. CHAIRPERSON:** Hon. Members, the mike will be automatically switched off after one minute. So, kindly frame your speech in such a way that it can be finished within one minute.

**SHRI CHANDRA SEKHAR SAHU (BERHAMPUR):** Sir, there are about 21 rake points in Odisha which are facing various types of problems. They either do not have shed facility, or approach road, lighting, or platform, etc. Infrastructure in these rake points needs to be developed on priority basis for smooth operation and better distribution of fertilizers in the State of Odisha.

In Paralakhemundi, in Gajapati district of my parliamentary constituency, there is no fertilizer rake point. In the absence of any rake point in Paralakhemundi, the farmers of this region have been facing a lot of problems. I would request the hon. Minister, through you, Sir, to sanction fertilizer rake

points in Paralakhemundi and also examine the difficulties being faced by the existing fertilizer rake points and review them in a time-bound manner for smooth distribution of fertilizers to the beneficiaries and farmers.

**SHRI ANUBHAV MOHANTY (KENDRAPARA):** Sir, while appreciating the robust measures taken for economic revival of rural areas in the post-pandemic period, kind attention of the Government is drawn towards Rs.1088.72 crore liabilities pending under MGNREGA for Odisha.

Our hon. Leader and Chief Minister of Odisha, Shri Naveen Patnaik ji, has already written a letter, dated, 1<sup>st</sup> November, 2021, to the hon. Prime Minister of India in this regard. Emphasising on the issue, I would earnestly urge upon the Government of India, through you, Sir, for the timely payment of wages to the poor job seekers, which is the fundamental guarantee under MGNREGA. Similarly, timely release of payment for material is critical for creation of tangible and durable assets under MGNREGS.

I would urge upon the hon. Prime Minister to suitably advise the Ministry of Rural Development to ensure the timely release of funds for wages and also see to it that the material payment under MGNREGS is carried out without fail.

I would like to further draw your kind attention that significant number of returnee migrants... (*Interruptions*)

**HON. CHAIRPERSON:** Thank you.

**SHRI ANUBHAV MOHANTY:** Sir, it is about migrants. ...(*Interruptions*) Post-COVID-19, this has led to an increase in demand for wage employment under MGNREGA in villages. Therefore, the labour budget of Odisha under MGNREGS may be enhanced to Rs.25 crore persondays for the year 2021-22.

**HON. CHAIRPERSON:** I draw the attention of the hon. Members to the fact that if your speech is not finished, and the mike is switched off, automatically the camera will also be off. You cannot place your speech in public domain without any conclusion. So, I would request all the Members to confine their speeches within one minute so that their entire speech could come on record.

**\*SHRI K. NAVASKANI (RAMANATHAPURAM):** Hon. Chairman Sir, Vanakkam. Since 2011 there is a ban of the Union Government to catch sea cucumbers. Sea cucumber is an endangered species, rather a growing one. There is no ban to catch sea cucumber in the neighbouring country Sri Lanka. Keeping in view the livelihood of fishermen, I urge that this Government should lift the ban to catch sea cucumber. Farm laws have been repealed after understanding the sentiments of the farmers and the demand of Tamil Nadu for the same. Similarly understanding the sentiments of the students, parents and activists, Tamil Nadu should be given exemption for NEET. In the same way the citizenship act should be repealed keeping in view the sentiments of the minorities. Adequate compensation should be given to farmers who protested on roads against the farm laws. As many as 700 farmers lost their lives. Their kith and kin should be adequately compensated. The demand of farmers for the Minimum Support Price should be fulfilled. In my Ramanathapuram district, farmers are not getting the settlement of their insurance claims. I urge that such claims should be settled soon. Thank you.

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\* English translation of the speech originally delivered in Tamil.



*[Translation]*

**SHRI MANISH TEWARI (ANANDPUR SAHIB):** Chairperson Sir, today, I have put forward a notice for an Adjournment Motion before the hon. Speaker which has been disapproved. I thank you for giving me the opportunity to speak.

Chairperson Sir, some days ago, very bad news was circulated that China has infiltrated to Indian soil and built a village in Upper Subansiri district in Arunachal Pradesh. No clarification has been made from the Government regarding this news.

Through you, I would like to request the Government to conduct a detailed debate and to present actual facts before the House regarding the news about Arunachal Pradesh that China has built a village in our country and about the situation of conflict in East Ladakh from April, 2020. Thank you.

**SHRI KAUSHLENDRA KUMAR (NALANDA):** Chairperson Sir, my Parliamentary Constituency, Nalanda has a glorious history. The history of wrestling in Rajgir is very old. Its history can be traced back to Dwapar period. Magadha Emperor Jarasandh has showed his moves in this arena. In this arena, more than one warrior, including the Magadha emperor has tried their moves. Before the start of the Mahabharata in the Dwapar period, there was a battle between Jarasandha and Kunti's son Bhima for 18 days. Today, the place is in a poor condition. Through you, I would like to request the Government to pay attention to this place and to beautify this place.

*[English]*

**DR. A. CHELLAKUMAR (KRISHNAGIRI):** Hon. Chairperson, Sir, through you, I would like to take this opportunity to draw the kind attention of the Government to this matter.

Sir, in Thimjepalli panchayat, near Ullatti Village in Krishnagiri District, Tamil Nadu, there is a narrow railway underpass in the Salem-Hosur sector. People from Thimjepalli and Panchapalli panchayats use this underpass for commuting to and from schools, colleges, hospitals, and workplaces. For their daily movement to the farmland and for mobility of their agricultural produce, the farmers are finding it difficult to cross this particular place because of the narrow passage and therefore, they have to take a detour of 20 kilometres to cross over to the other side.

Therefore, through you, I would like to request the Government to build a wide railway underpass/underbridge to have an easy passage for the daily commuters.

**KUMARI AGATHA K. SANGMA (TURA):** Hon. Chairperson, Sir, thank you so much.

I had submitted a notice for an Adjournment Motion. ... (*Interruptions*)

**HON. CHAIRPERSON:** Please come to the text.

**KUMARI AGATHA K. SANGMA:** On 4<sup>th</sup> December, a very unfortunate and condemnable incident took place in the village of Oting in the Mon District of Nagaland where about 14 civilians were shot dead by the armed forces in a so-called counter-insurgency operation.

Sir, this is not the first time that an incident like this has taken place where innocent civilians had to bear the brunt of the draconian laws like the Armed Forces Special Powers Act. It also reminds us of an incident that took place in Manipur in 2000 which is also known as the Malom Massacre where over ten

civilians were shot dead and it prompted 28-year-old Irom Sharmila to go on a 16 years long hunger strike.

Yesterday, various political leaders across party lines spoke about this issue and condemned it and even the Home Minister gave a statement regarding this incident. He informed the House that an SIT will be constituted in order to probe this issue. But I also believe that it is time that the elephant in the room be addressed which is that the Armed Forces Special Powers Act be repealed.

**HON. CHAIRPERSON:** Thank you. Is it over?

**KUMARI AGATHA K. SANGMA:** Sir, please give me 30 seconds. It is a very important issue. I would like to quote just one line of the poem wrote by Poet Maya Angelou. I come as one but I stand as ten thousand. Sir, this incident has been condemned by every student union from the North East – be it the Lotha Student Union, the Khasi Student Union, the North East Student Union, the Naga Mothers Association, the Manipur Women's Gun Survivors Network and Global Alliance of Indigenous People. My own political party, NPP NPP, including our Chief Minister, has condemned it.

**HON. CHAIRPERSON:** Please conclude now.

**KUMARI AGATHA K. SANGMA:** Even the Jeevan Reddy Committee had recommended that this Act be scrapped and therefore, on those lines, I would like to say that the Armed Forces within themselves can address these issues and a lot of prosecutions have taken place.

**HON. CHAIRPERSON:** Madam, thirty second are already over.

**KUMARI AGATHA K. SANGMA:** I would just like to say that the reason why AFSPA was enacted in 1958 was to ensure that insurgency be stopped in the North-East but it has not been able to do that. We can clearly see

that insurgency has not been contained because of the enactment of AFSPA and, therefore, instead what it has done is it has caused civilians to be unfairly tortured, raped, and killed. Therefore, I take this opportunity not just on behalf of my party, the National People's Party but also on behalf of the people of the North East that this Act be kindly repealed.

*[Translation]*

**SUSHRI SUNITA DUGGAL (SIRSA):** Hon. Chairperson Sir, thank you very much. In today's Question Hour in the morning, an important issue - 'the increasing use of drugs among youths' has been raised for general public. There has been many question and answer regarding this issue. The Member from Delhi, Shri Parvesh Sahib Singh has asked a good question on this topic. The Central Government has identified 272 such districts across the country where this issue is very serious.

Chairperson Sir, there are 10 districts in Haryana and two districts of my Lok Sabha Constituency also come under this. I would like to say that a discussion has been done with the Minister of Sports this morning and the hon. Speaker Sir ji has talked about having a discussion on the topic, 'Sports'.

Therefore, I would like to say that a discussion on "drugs" should be made in Parliament. Secondly, my Lok Sabha Constituency, Fatehabad, and Sirsa as well as Narwana also come under special districts. I would like to ask the hon. Minister regarding the progress made so far in these districts and the future planning. Thank you very much.

*[English]*

**DR. K. JAYAKUMAR (TIRUVALLUR):** Hon. Chairperson, thank you for the opportunity. I rise here to register my strong disappointment over the lacklustre performance of the National Highways Authority of India in my

constituency. There is a project for widening the road of 43 kilometres from Madhavaram to Tada and this project has been going on for the last five to six years. Even now, it is not sure when they will complete this project. The National Highways Authority of India is giving the contractor extended opportunities and additional payments, that is, cost overrun is also taking place and the project is of about rupees 300 crore and they are taking more years.

I urge upon the Government through you to take immediate steps to see that this project is completed as it is a nuisance to the people over there.

*[Translation]*

**SHRI NARANBHAI KACHHADIA (AMRELI):** Sir, I, through you, would like to draw the attention of Hon'ble Education Minister that every State is funded by the Ministry of Education, Government of India under Sarva Shiksha Abhiyan. For the last two years, the said fund has decreased and the States have not received that fund.

I, through you, would like to tell the Honorable Education Minister that the buildings of the primary schools in the districts of the States are in a very dilapidated condition. At least in my Constituency Amreli, Gujarat there is requirement of three hundred buildings, so funds should be provided at the earliest so that children can get proper education and facilities.

**SHRI DULAL CHANDRA GOSWAMI (KATI HAR):** Sir, first, I would like to thank you. Under the leadership of Hon'ble Prime Minister, the pace of road construction work is very fast in the country. NH-31 passes through my Constituency Katihar, Bihar and the length of this Highway from Khagaria to Purnia is 135 kms. Four laning work of this Highway from Patna to Khagaria has been completed.

**HON. CHAIRPERSON:** It is praiseworthy.

**SHRI DULAL CANDRA GOSWAMI:** Four laning from Khagaria to Purnia will connect North-East, and a large part of Nepal and Bihar. I would like to request the Hon'ble Minister of Road Transport and Highways, through you, that as they have laid a network of roads and constructed quality roads across the country, so I want that this road, which is of great importance, should also be constructed. It will ensure easy connectivity with Patna, Jharkhand, North-East and Nepal.

**SHRI JASBIR SINGH GILL (KHADOOR SAHIB):** Sir, today I have stood here to speak about the rising prices of DAP and urea fertilizer and shortage of availability thereof. At present, it is sowing season of wheat, potato, mustard and vegetables in Punjab but there is acute shortage of fertilizer. If fertilizer is available, it is being sold at a higher price. Some companies are providing additional needless items alongwith a sack of fertilizer to the farmers.

Sir, through you, I request the Government that the increasing prices of fertilizers should be controlled and once again, farmers should be given the subsidy.

**DR. HEENA VIJAYKUMAR GAVIT (NANDURBAR):** Sir, under the leadership of Hon'ble Prime Minister, our Government, in the year 2014, started electrification of those villages which had no electricity since the last 60 years of Independence. The Ministry of Power specially launched the 'Saubhagya Yojana' to provide electricity to the poor. 67,391 households in my Lok Sabha constituency, Nandurbar, are still devoid of electricity facility and 23,000 households are being provided solar power, an unconventional source. I urge the Government that 67,391 households should be provided electricity at the earliest and 23 thousand households, which are being given electricity through solar power, those households should also be provided electricity from conventional source.

**SHRI SANTOSH KUMAR (PURNIA):** Hon. Chairperson, Sir, I represent Purnia Lok Sabha Constituency which is included under the Aspirational district programme. I, through you, demand from the Sports Minister that an international stadium should be built here, so that the youth of Purnia can nurture their talent in that stadium. More than half of the population in our country is young, and this is the reason, honorable Prime Minister and hon. Sports Minister are taking a lot of interest in the field of sports. Indira Gandhi Stadium in Purnia should be renovated and rebuilt as an international stadium.

*[English]*

**SHRI THOMAS CHAZHIKADAN (KOTTAYAM):** Sir, through this submission, I seek the immediate attention of the hon. Prime Minister to give direction to the Government of Tamil Nadu against the opening of spillway shutters of Mullaperiyar Dam during night without any prior intimation.

The opening of spillway shutters of Mullaperiyar Dam during night presents flood threat to lakhs of people living downstream of the Periyar River.

The authorities of Tamil Nadu have opened the spillway shutters during night even yesterday releasing 126000 cusecs of water that has panicked the people. Release of huge quantity of water during late hours of night without sufficient advance warning has caused panic among the people living in this area. The people of this area could not sleep for the last few weeks.

Considering the urgency of the issue, through you, I request the hon. Prime Minister to kindly direct the Tamil Nādu authorities to give intimation well in advance before spilling water into Periyar River. The spillway should not be opened during night time.

I also request the Government to direct the authorities to convene a meeting of the Supervisory Committee urgently. Today in the morning, raising this issue, myself and..... (*Interruptions*)

**HON. CHAIRPERSON:** No, this cannot be allowed. Shri Tapir Gao may speak now.

*[Translation]*

**SHRI TAPIR GAO (ARUNACHAL EAST):** Thank you, Hon. Chairperson, today it has been 33 years since the formation of Arunachal Pradesh and Mizoram. Last time also, I made a demand and it was also passed in Arunachal Pradesh Assembly that IAS, IPS officers would be given posting there for two years. We are getting very good officers but the ruling of the Government of India is that they will be called back here after two years of service. Therefore, I urge the Government of India to create separate cadres for IAS, IPS officers for Arunachal Pradesh and Mizoram, so that IAS officers can work there diligently. It is also safe for IAS, IPS officers. This is my demand. Thank you.

**SHRI MAHABALI SINGH (KARAKAT):** Sir, 12 years ago, the Government had passed a project to set up a railway wagon factory in Dalmia Nagar Dehri-on-Sone, Bihar. Even after so many years, the work has not started yet. During the Question Hour in the year 2019, the Hon'ble Minister had said that works which were pending for almost 12-14 years, would be completed by the year 2022 under any circumstances. Hon'ble Minister had also given assurance in this regard in the House.

In this holy temple of the world's largest democracy, after the assurance given by the honorable Minister in the House, drums were played and sweets were distributed in the Constituency. Now we are approaching the year 2022 and



the work has not started yet. I would like to urge the Government, through the House, that the work of Dalmia Nagar factory, which has been stalled for the last 12 years, should be started at the earliest so that the people in the Constituency can get its benefit. Thank you.

*[English]*

**HON. CHAIRPERSON:** Shri N. Suresh may speak now.

**\*SHRI NANDIGAM SURESH (BAPATLA):** Thank you Sir. Recently, Chittoor, Nellore, Kadapa and Anantapur districts in Rayalaseema region of Andhra Pradesh received heavy rainfall. As a result, thousands of acres of crops and roads were ruined. Many animals were dead. In such a disaster, our Chief Minister Shri YS Jagan Mohan Reddy provided relief to the affected families, by granting financial assistance from Rs. 1000 to Rs. 5000. Similarly, food, medical facilities and medicines were provided to them. Our CM Shri Jagan Mohan Reddy provided all possible assistance to the affected people. Farmers incurred huge losses and financial assistance was sought from the Union Government in this regard. But till date, not even a single rupee was released by the Central Government. I conclude with the request that the affected farmers should be provided assistance immediately.

Thank you.

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\* English translation of the speech originally delivered in Telugu.

*[Translation]*

**SHRIMATI RANJEETA KOLI (BHARATPUR):** Sir, I thank you for giving me this opportunity to speak in the House.

Sir, through the House, I would like to draw the attention of the Railway Minister towards the opening of rake point at Bayana station in my Parliamentary Constituency, Bharatpur.

Sir, the traders are facing a major problem in Bayana under my Parliamentary Constituency, Bharatpur. At present, the traders in Bayana have to pick up the goods sent by rail from Bharatpur. Considering this issue, continuous demand is being made by the traders to open the rake points in Bayana. With the opening of rake points in Bayana, all the traders of Bayana will also be benefitted and the people in nearby areas will also get employment opportunities. Ample space is also available at Bayana Railway Station for rake points and a rake point made of the ballasts being used to lay railway line, is already available there.

Therefore, I urge you to build a rake point in Bayana, so that the problems of the nearby farmers can be addressed. Goods can be supplied to many areas from Bayana rake point. People of Bhusawar, Weir, Chhokarwara, Rupbas, Rudawal and many other areas will be able to timely exchange their goods from Bayana. Traders have to face several problems in exchanging goods from Bharatpur, due to which people in this area do not get timely availability of products, especially agricultural products. At present, the entire Bharatpur district is facing the shortage of DAP. Even Bayana is not getting DAP on time. I, through you, urge the Railway Minister that a rake point should be built at Bayana railway station in my Parliamentary Constituency, Bharatpur. Thank you.

*[English]*

**SHRI GAURAV GOGOI (KALIABOR):** Sir, Northeast India is one of the most biodiverse places. It is a biodiverse hotspot. The kind of flora, fauna, wild life and natural beauty is unique in South East Asia.

The Union Government's push towards oil pump plantation in the Northeast threatens this diversity. It will lead to an increase in air pollution, displacement of forest birds, reduction of forest cover and it is detrimental to the natural PH value of the soil.

I request the Government to find alternate crops such as bamboo, cane, coconut or local plants, and value the forest raw material that is there in the Northeast. In today's time, we need a kind of smart agriculture in Northeast India.

*[Translation]*

**SHRI GAJANAN KIRTIKAR (MUMBAI NORTH-WEST):**

Hon'ble Sir, I am very thankful to you for the chance of speaking given by you to me.

Sir, India has 7,517 kms coastline. Adjacent to this coastline, there are many civil settlements, especially fishermen settlements. Whenever storm comes in the sea, it causes quite extensive economic and life damage to these settlements and the fishermen living there. Fayan storm in the year 2009, Vayu storm in year 2019, Nisarg storm in year 2020 and recently Tokate storm destroyed many settlements and fishermen had to suffer loss of crores of rupees.

Sir, the people and fishermen living near to Maharashtra's 720 kilometers are suffering crores of rupees losses due to the sea storms developing in the last three years.

Therefore, through you I request Hon'ble Prime Minister that considering the extensive damage being caused by sea storms; every year a grant of 1,000 crore rupees should be given to the Maharashtra through Prime Minister Grant Scheme for the fishermen. Thank you.

*[English]*

**SHRI VE. VAITHILINGAM (PUDUCHERRY):** Sir, since October, the Northeast monsoon rainfall in Puducherry and Karaikal has been very high and the urban and rural population got inundated and water got stagnated in residential area. Many people are starving for food. Roads got damaged badly. One Bed Dam across the Sangarabarani river got washed away. Agricultural land to the extent of 4,000 hectares got submerged in the water and the farmers are suffering huge losses. All the rivers are overflowing and a lot of houses got damaged. The Central Team visited Puducherry last week. I request the Union

Government to provide immediate Central assistance of Rs. 500 crore to overcome this crisis.

*[Translation]*

**DR. MANOJ RAJORIA (KARALI-DHOLPUR):** Hon'ble Speaker Sir, through you, I want to request the Government that many great men have contributed to conserve and enhanced India's culture, civilization and sacraments. Tirthankar Lord Mahavir Swami, a kshatriya was not related to any particular community but to all the living beings, who preached to the whole world the message of non violence, truth, live and let live, goodwill and harmony. At present, violence is increasing in many places of the world, which can be tackled by the Mahavirji's message of non violence. Such great man of his time Tirthankar Bhagwan Mahavir Swamiji's 2550<sup>th</sup> death anniversary year is going to commence. In Karoli district of my Parliament Constituency, Shri Bhagwan Mahavir ji Atishay area, All India Jain Society and All India Bhagwan Mahavir Nirvan Celebration committee has this urge of starting yearlong celebration. With the blessing and guidance of 1008 Shri Pragyasagar ji Maharaj, the scheme is being prepared for that death anniversary celebration.

I want to demand from Indian Government through you that considering this path of world welfare in the forthcoming years from Deepawali year 2023 to Deepawali year 2024 should be dedicated to Bhagwan Mahavir ji as a world Welfare Festival year. Thank you.

*[English]*

**\*SHRIMATI SUPRIYA SADANAND SULE (BARAMATI):**

Hon'ble Chairman Sir, thank you.

When the political reservation of OBCs was quashed by the Supreme Court of India, an ordinance was promulgated in this regard by Maharashtra Government after evolving a consensus among all the political parties of Maharashtra including BJP. Hon'ble Chief Minister Uddhav Thackeray ji, Balasaheb Thorat ji and other leaders came together to resolve this issue. They further took the decision of holding elections for Panchayati Raj and local bodies too.

Now, the Court has stayed this election process. That decision was taken unanimously and this should be kept in mind. All the political parties of Maharashtra are committed to resolve this issue. But only one impediment is there and that is non-availability of empirical data. Maharashtra State Government is trying its level best to collect the empirical data of OBCs but it cannot be done in a year's time due to Covid restrictions.

Hence, I would like to urge upon the Central Government to come forward to support OBCs not only for Maharashtra but also for all over India by providing empirical data of OBCs, so that no OBC is deprived of OBC reservation.

Thank you,

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\* English translation of the speech originally delivered in Marathi.

*[English]*

**KUMARI RAMYA HARIDAS (ALATHUR):** Mr. Chairman, Sir, I would like to invite the attention of the Government to a serious problem regarding the SC/ST people of Kerala. Even the State and Central Governments have allotted and spent crores of rupees for the welfare of the Scheduled Castes and Scheduled Tribes under different Government schemes. Recently an infant died due to malnutrition at Attapadi in Palakkad District of Kerala. It is recurring in remote ST colonies. There are several projects and programmes for the all-round development of Backward Classes. But most of them are not useful in their depth and sense. The root cause of this problem is the lack of coordination among various departments. So, the projects meant for the Scheduled Castes and Scheduled Tribes do not fulfill their aim and goal. I request the Government to appoint a Special Nodal Officer other than Deputy Collector or revenue officials at the district level to implement and monitor the various projects. This will smoothen the functioning of various departments including Tribal and SC Development Departments.

So, I request the Government to take positive steps towards this issue.

*[Translation]*

**SHRI RAMAKANT BHARGAVA (VIDISHA):** Hon. Speaker sir, in my Parliament Constituency Vidisha, in Sihor and Raisen districts of Madhya Pradesh, farmers are getting urea and DAP late in Kharif and Rabi season at present from the fertilizer rake point, Itarasi Mandi. Both the rake points are far away from the tehsils of districts. Hon. Speaker sir, through you, I want to urge the Hon. Railways Minister that establishment of rake points should be sanctioned in Abdullaganj of district Raisen and Budni of district Sihor, so that farmers of rural areas of both districts can get the facility of fertilizers. Thank you.

*[English]*

**ADV. A.M. ARIFF (ALAPPUZHA):** Sir, I would like to speak on a very important and long pending demand of dairy farmers in the country. Dairy farming is considered as an element for uplift of the farming community in our country. Income generated from dairy farming helps the rural economy. However, only grass farming and cattle shed construction are included in MGNREG Scheme as of now. Dairy farmers have been requesting for a long time that dairy farming must be included in the MGNREG Scheme. Sir, MGNREGS is considered as an important scheme for the rural masses of our country. So, I would urge upon the Government to include dairy farming in the MGNREG Scheme. It will greatly help the dairy farming community in our country in greater production of milk which will help improve nutritional levels in the country. Thank you.

**HON. CHAIRPERSON:** Now, Shri Ramprit Mandal.

*... (Interruptions)*

**SHRI RITESH PANDEY (AMBEDKAR NAGAR):** Sir, I have also given a notice to raise my matter during 'Zero Hour'.

**HON. CHAIRPERSON:** Wait, please. Now, we are giving preference to those hon. Member, who have not participated in the 'Zero Hour' during the previous days. Please take your seat.

*... (Interruptions)*

**HON. CHAIRPERSON:** In fact, your notice has already been rejected by the hon. Speaker. You have no claim on this. Please be seated.

*... (Interruptions)*



*[Translation]*

**SHRI RAMPRIT MANDAL (JHANJIHARPUR):** Hon'ble Speaker Sir, at Raj Parisar in my Rajnagar area in year 1984, foundation stone laying was done for an Agriculture college by the then Agriculture Minister late Chaturanand Mishra ji. Sir, but till now, no work has started on it. Through you I want to request the Hon'ble Agriculture Minister that work on that project should be started at the earliest. So that our region's children are not required go to the other regions and the farmers could get the better techniques and knowledge. Thank you.

*[English]*

**HON. CHAIRPERSON:** Now, Shri Ritesh Pandey.

**SHRI RITESH PANDEY:** Thank you, Hon. Chairperson. *[Translation]* In Uttar Pradesh on this Sunday some candidates were doing demonstration regarding 59,000 teachers recruitment. Their main demands were that there were some irregularities in the exam, conducted for the 59000 teachers' recruitment. The OBC were given 4 percent reservation in place of 27 percent and SCs were given 16 percent in place of 22 percent. The Court has also ordered to conduct the recruitment as per rule. A peaceful candle march was going on for it. They were savagely lathi charged by the police. Our party has strongly condemned it and protested against it. Through you, I request that Uttar Pradesh Government should be directed that 59000 recruitment should be conducted and the reservation system should be implemented efficiently. It is my request through you. That process must be completed. Thank you.

*[English]*

**ADV. ADOOR PRAKASH (ATTINGAL):** Sir, I would like to draw the attention of the Government towards the issues being faced by the Indian

expatriates due to high airfare and higher charges for mandatory COVID tests at airports.

Many Gulf countries have relaxed travel restrictions, but unaffordable airfare is depriving them their chance to return to their destinations. Many of them are forced to book their air tickets at exorbitant prices during this crisis period. One-way ticket to many Gulf countries from Kerala is in the range of Rs 25,000 to Rs 1 lakh. This has become a heavy burden on Non-Resident Indians who are already facing with their salary cut and job loss.

Similarly, there are a large number of complaints against higher charges for COVID tests at airports.

**HON. CHAIRPERSON:** Please put your demand.

**ADV. ADOOR PRAKASH:** Sir, I am coming to my point.

The passengers travelling to UAE are required to carry along with them normal RT-PCR test done within 48 hours before departure, and have to undergo a Rapid PCR test at the airport within six hours of departure. The test at airports costs Rs. 40,000, which is extremely high and unaffordable to many.

Hence I would request the Government to consider these issues on priority and take measures to help the expatriates. Thank you.

*[Translation]*

**SHRI SURESH PUJARI (BARGARH):** Hon. Speaker Sir, I want to bring in your notice a serious and important topic. Through you, I want to bring this topic into the notice of Indian Government. In my area, there is Bargarh district. This district has two sub divisions. The Bargarh sub division is non-irrigated. Recently a company HDFC ergo crop insurance company has come there. What this company did? This company found out from the meteorological

department forecast that where there will be less rainfall. In the beginning, the company rejected thousands of claims for crop insurance for the places where there was a forecast of low rainfall. I would also like to bring to your attention that this rejection was made without any reason. This rejection was made after the cutoff date. It is against the Crop Insurance Act....(*Interruptions*)

**SHRI SUNIL KUMAR PINTU (SITAMARHI):** Hon.Chairperson, I would like to draw your attention to my Parliamentary Constituency, Sitamarhi where Jagat Janani Sita has been manifested. Two ROBs are being built there. Hon. Minister of Railways is present here. Through you, I would like to draw his attention too.

Sir, the construction work of Janakpur road surfacing is going on for years at a slow pace. We are not sure when it will be completed.

Secondly, the hon. Minister of Railway has released the tender for Mehsaul ROB to be built in the middle of the city but its construction work has not been started yet. The public protest is increasing due to the delay in the completion of both the ROBs. Because of this, the public representatives are facing public protest.

Therefore, through you, I would like to request the Minister of Railways to start the construction work of both the ROBs including Mehsaul ROB as soon as possible so that the public's faith in public representatives may remain intact.

*[English]*

**SHRI B. MANICKAM TAGORE (VIRUDHUNAGAR):** Sir, I rise here to make a request regarding the Madurai Airport. There is discrimination towards the Madurai Airport. It is an Airport which came into existence in 1956. It got a new terminal in 2010 during the UPA Government regime but it is still waiting for an international status. We are not against any of the airports

like Gorakhpur or Tirupati which are upgraded to international airports. I would like to know why this discrimination continues with the Madurai Airport. We are waiting for the bilateral agreements with the Gulf countries including Malaysia, Singapore and others. The entire South Tamil Nadu is connected through Madurai Airport.

I would like to request the hon. Civil Aviation Minister to grant international status to the Madurai Airport as early as possible.

*[Translation]*

**DR. NISHIKANT DUBEY (GODDA):** Hon .Chairperson, in my State, religious conversion has become a major issue. Through 341 and 342, Scheduled Caste and Scheduled Tribes are getting reservations and all the facilities. The whole country has reverence for the constitution made by Baba Saheb Ambedkar. But, this religious conversion is increasing because they are being converted through temptation. In Article 341, it says that the reservation given to the Scheduled Caste will be taken away if they are converted. Due to this, the Scheduled Caste is not religiously converted. But, Scheduled Tribe is of different nature and they behave and think differently. We have to develop them too.

Sir, through you, it is my request to the Government to implement 342 on the lines of 341. Take away the reservation of the people who are religiously converted from the Scheduled Tribes. This will benefit the country and it will stop religious conversion.

*[English]*

**SHRI BENNY BEHANAN (CHALAKUDY):** Sir, everyone knows about the cultural diversity of India, and as Indians, we are all very proud of India's unity in diversity. These facts also underscore the strong cultural heritage

of our country, which is blessed with innumerable ethnic and cultural practices, and arts and traditions. However, these are not adequately preserved. Those cultural ambassadors are grassroots, and need much professional support to sustain such rich traditions. Unfortunately, it is also very late to know that the rich cultural heritage is part of our education. In our country, we have a few deemed universities here and there, whereas the actual need of the hour is to establish a national-level cultural university. It will be possible only through a cultural university as a parental umbrella, with one in South and one in North, considering the vastness of the topic and the individualistic technique of multitude forms.

Considering the presence of Kerala Kalamandalam, which is already a deemed university for Kerala's arts and traditions, located in Thrissur district, and the fact that Thrissur is the cultural capital of Kerala, perhaps, Thrissur may be considered as its Southern centre.

Thank you.

**SHRI BHARTRUHARI MAHTAB (CUTTACK):** Sir, thank you for giving me this opportunity.

It is relating to Uniform Civil Code. It is not about imposing any religious code or any other religion but it is about bringing in society under one Code.

During the making of the Constitution, as the country was undergoing partition, it was thought fit that we should leave out the social, religious code, as it was being practiced for some years. But as the Independent India is already in the 75<sup>th</sup> year of Independence, I think, it is now necessary that we should deliberate or the Government should take the initiative to have the Uniform Civil Code. Recently, in this year alone, two specific High Courts like the Delhi High Court and the Allahabad High Court have made pronouncements relating to having a Uniform Civil Code.

Uniform Civil Code does not mean imposing Hindu Code on every religion. It means to bring in better things from different codes together. I believe, the Muslim Code on marriages is the most modern system that we have in our country. I think, that needs to be also involved with other religious things.

Therefore, this misconception should go, and at the same time, I urge upon the Government to take steps to implement Uniform Civil Code. As I have already said, the Delhi High Court has done it, and the Allahabad High Court has also made pronouncement on it. So, when such suggestions are coming from Judiciary, at least the Executive should come forward and form a Committee to bring in Uniform Civil Code.

Thank you.

*[Translation]*

**SHRI RAVNEET SINGH (LUDHIANA):** Hon.Chairperson , Thank you. I am happy that you are in the Chair and you can understand what I am saying. I am from an unlucky State which hasn't received its capital for the last 55 years. I come from that State where the dam, capital and the Gurudwara committee election is under the Centre. We didn't even get Punjabi speaking areas. The notification for the recent amendment was made in 2014. Here, the international border is shared with Pakistan. There, BSF was assigned 15 km and now, it has been increased to 50 km. They can raid, arrest, seize and catch anything there.

*[English]*

**HON. CHAIRPERSON:** Please put your demand.

*[Translation]*

**SHRI RAVNEET SINGH:** The election is going to be conducted there. There, the BSF should be controlled by the Centre. This is done because there will be clashes.

*[English]*

**HON. CHAIRPERSON:** What is the demand?

*[Translation]*

**SHRI RAVNEET SINGH:** Sir, Golden Temple, Durgiana Temple, Amritsar and half of the districts come under them. In the coming days, there will be clashes with local police.

**HON. CHAIRPERSON:** What is your demand?

**SHRI RAVNEET SINGH:** There will be clashes with the BSF and Punjab Police. They should be called off. What will the BSF do among the people? They should stay at the border. They are also our security forces but they should be restricted from coming to the cities. This is a sensitive issue of Punjab.

**SHRI DEVAJI PATEL (JALORE):** Hon.Chairperson , this House has passed the Land Acquisition Bill in which the farmers could get compensation four times more than the market value. The construction of one Highway and Bharatmala project is going on in Rajasthan. The houses and farms of farmers are being taken under the Bharatmala project. There, the market value of each hectare is from 40 to 60 lakh rupees but they are only getting 4 to 6 lakh rupees as compensation. Shri Nitin Gadkari has told the hon. Chief Minister to give compensation as per the market value and they are ready to pay the amount.

**14.00 hrs**

But, the Government is not providing the compensation amount to the farmers.

Through you, it is my request to the Government to direct the State Government to constitute a committee and to provide compensation to the farmers by finding out the market committee through the Committee. This is my request.

*[English]*

**SHRI M. K. RAGHAVAN (KOZHIKODE):** Thank you respected Chairperson Sir for giving me this chance.

Sir, I would like to raise two major issues. One is related to the reinstatement of wide-bodied aircraft operations from Calicut and the second one is related to the reinstatement of the Haj embarkation point at Calicut.

Sir, till the Air India Express accident in August, 2020, wide-bodied aircraft were in operation from the Calicut airport, which was more suitable for the Gulf sector. Unfortunately, after the accident, the civil aviation authorities have suspended the wide-bodied aircraft services. It is believed that some vested interests are against the re-introduction of wide-bodied aircraft operations from Calicut.

My humble submission to the Minister is that while the unwritten suspension should be revoked, the Committee set up for this purpose should visit the Calicut airport immediately and take steps for the immediate reinstatement of the wide-bodied aircraft operations. ...(Interruptions)

My second point is to take steps to restore a Haj embarkation point at Calicut. Thank you, Sir.



**SUSHRI DIYA KUMARI (RAJSAMAND):** Thank you, Sir, for giving me this opportunity to put forward a pressing demand to open a Government medical college in my constituency, Rajsamand.

I am grateful to the hon. Prime Minister for prioritizing development of medical infrastructure in our country and sanctioning the setting up of 75 medical colleges across the country in various States. There is one private medical college in Rajsamand but the aspiring doctors from the local community find it difficult to afford its fees. Setting up a Government medical college with robust medical infrastructure will not only be a great relief for the medical aspirants but also give access to affordable premium healthcare to the local people of the region.

**HON. CHAIRPERSON:** Please put your demand.

**SUSHRI DIYA KUMARI:** Sir, through you, I request the Minister to look into the matter, provide relaxation in the norms, and sanction the requisite approvals for a Government medical college in Rajsamand. Thank you, Sir.

**\*SHRI DHANUSH M. KUMAR (TENKASI):** Hon. Chairman Sir, Vanakkam. My Tenkasi parliamentary constituency is fully dependant on agriculture. In order to protect and improve the livelihood of farmers of this area, a food park should beset up by the Union Government. Shenbagavalli Dam issue, which is a long pending issues with the State of Kerala, should be resolved amicable. So that several thousands of acres of agricultural land in this area will be irrigated. As much as 80 per cent of agricultural land lie in the foothills of the Western Ghats. The agricultural land of this area is very much affected due to the wild animals of this area. Particularly Elephants cause lots of damage to the agricultural lands and the farmers face huge losses of their

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\* English translation of the speech originally delivered in Tamil.

standing crops. I urge the Union Government to take necessary steps to stop these wild animals entering into farm lands and causing damage. I request that the demands of the farmers of this area should be paid attention while implementing the Four lane highway in this area. Thank you.

*[Translation]*

**SHRIMATI NAVNEET RAVI RANA (AMRAVATI):** Hon. Chairperson Sir, there are 23 NTC mills currently operating across the country but from the year 2020, all the mills are closed. A mill was operated for three months in the tribal area between Paratwada and Achalpur of my Parliamentary Constituency, Amravati in 2020. The mill was closed saying there are no raw materials. Around two thousand people are working in the mill located in the tribal area. Earlier it was Vidarbha Mills and now, it is Finlay mill.

The union people from the mills across the country have come to Delhi for protesting. Through you, I request the hon. Minister to meet and talk with them to know their demands, the reason for the closure of mills and the loss. It is very important to run these mills as many poor labourers are working in these mills.

Through you, I would like make this request to the hon. Minister.

**SHRI GAJENDRA UMRAO SINGH PATEL (KHARGONE):**

Hon. Speaker Sir, I express my sincere gratitude for giving me the opportunity to put forth the matters related with 11 crore people of Tribal Class of the country. There have been thousands of tribal revolutionists like – Bhagwan Birsa Munda, Tantya Mama Bheel, Bheema Nayak, Khwaza Nayak, Rani Durgawati and others who contributed to the freedom of our country, but the former Governments have not recorded their names in our history. This is the maiden occasion when our illustrious Prime Minister, hon. Shri Narendra Modiji declared 15 November to be commemorated as “Janjatiya Gaurav Divas” on account of Birth Anniversary of Birsa Mundaji on the soil of Bhopal.

*[English]*

**SHRIMATI CHINTA ANURADHA (AMALAPURAM):** Thank you, Sir, for giving me this opportunity. There are several State bifurcation related assurances that are yet to be fulfilled. These assurances were made conditional on the commitment to accord Special Category Status to the State of Andhra Pradesh. However, despite the passage of seven years, majority of the commitments remain unfulfilled and Andhra Pradesh continues to face immense economic hardships and deprivation.

There are certain assurances such as completion of eight infrastructure projects, full-fledged establishment of 11 institutions of national importance under Schedule XIII of the Act by 2024, and sanction of special development package for backward districts on the lines of Bundelkhand special package, which have been fulfilled but only to a very minimal extent.

**HON. CHAIRPERSON:** Please conclude because many Members remain to speak.

**SHRIMATI CHINTA ANURADHA:** Sir, further legal division of assets approximately valued at Rs.1,4.601 crore, belonging to institutions listed under Schedules IX and X, which are not mentioned in the Act, has not happened so far. It is hampering their functioning and resulting in adverse impact on the State.

Sir, through you, I urge the Government to grant Special Category Status to my State as the Central Government's kind attention and intervention with respect to these matters is crucial to safeguard the interests of the State of Andhra Pradesh. Thank you, Sir.

*[Translation]*

**SHRI GIRISH CHANDRA (NAGINA):** Mr. Speaker Sir, thank you very much for allowing me time to speak. On 02 April, 2018, people from Scheduled Caste and Scheduled Tribes were picketing democratically throughout the country abiding by our constitution, against the verdict of the hon. Supreme Court on Scheduled Caste and Scheduled Tribe Act. But the State Government of Uttar Pradesh following ill-will, showing anti-Dalit mindset has been persistent on spoiling the lives of thousands of students, youths and others by filing cases under various sections ranging from 24 to 32 in number. Even today, the police of the entire Uttar Pradesh, at other places not only have been intimidating innocent people of conviction but also implicating them. Now, the lives of thousands of students and youths have turned horrible because of filing of such cases against them. The reasons behind that are, firstly, unemployment and secondly, economic hardship. Many of the students who have been selected for some Government employments are losing their jobs due to these cases filed against them. This is leading to rise in unemployment and also the wrath of the common people. I, through you would like to express that if the Central Government and the State Government of Uttar Pradesh are true well-wishers

not in letter but also in spirit, then they must revoke all the cases filed in connection with the incidence of 02 April, 2018 and protect the soul of our constitution. Thank you very much.

**SHRI HANUMAN BENIWAL (NAGAUR):** Thank you Hon. Speaker Sir, I, through you would like to bring to your notice, the poor belonging to urban and rural areas whose Bank Accounts were opened under “Pradhan Mantri Jan Dhan Yojana” in the country and which was widely publicised. I would like to draw the attention of hon. Prime Minister and Finance Minister also towards the injustice done to those people by the other banks including SBI and which is still continuing. While on the one hand, the Government got the common people’s accounts opened with the purpose of connecting the common people of our country to the Banking System; on the other hand, as per the ‘Transaction Report’ of IIT, Bombay, Rs. 17.70 was kept being recovered from their accounts on every transaction taking place after the first four transactions in a month by the SBI from the year 2017 to 2019 and the total of Rs. 164 Crores was recovered from 12 Crore poor Jan Dhan Account holders during that period which was against the rule. It was also the violation of the terms and conditions related with the Jan Dhan Accounts. Moreover, the Reserve Bank of India also overlooked the standards under which the charges collected towards introducing new services to the bank accounts were said to be kept reasonable i.e. justifiable. It shows that the State Bank of India, to keep the poor connected with the Banking System, discriminated against the beneficiaries.

Sir, it is my appeal to the Government to call for the “Status Reports” of all the banks including the State Bank of India. Thus the entire amount recovered unlawfully, should be returned to the respective accounts with the entitled interest amount. This will prove a lethal blow to the schemes and the vision of honourable Prime Minister if the process of refund is delayed. The responsibility should be fixed towards such incidence and the concerned account

holders should be informed. ... (*Interruptions*). The people whose money was deducted from their accounts in a wrongful manner, should be refunded, only then the worth of the scheme will be proved. ... (*Interruptions*). Means, it is challenging the vision of the hon. Prime Minister.

**HON. CHAIRPERSON:** Beniwal ji, please do not deliver speech.

*[English]*

**SHRI KARTI P. CHIDAMBARAM (SIVAGANGA):** Sir, there are six airports which are commercially operating in Tamil Nadu. Four of them are much more active but only Trichy is not directly connected to Delhi.

I would request the Ministry of Civil Aviation to urge upon the private airline companies to make sure there is direct air connectivity between Trichy and New Delhi. This will greatly benefit Trichy, Pudukkottai, Arimalam, Thirumayam, and Karaikudi. Trichy, particularly, is a big religious town. I know there is an ongoing trend among the people going and visiting many temples, especially new temples. This will encourage people to come and visit the Srirangam Temple, which is an ancient temple where Lord Ram was supposed to have come and pray. So, instead of going to newer temples, people can come more to ancient temples which are there in Tamil Nadu.

*[Translation]*

**SHRI SUNIL KUMAR SONI (RAIPUR):** Hon. Speaker Sir, Hon. Prime Minister intends to get pucca houses built for the people who own thatched roof-houses or, mud tiled roof -houses under 'Pradhan Mantri Awas Yojana' but since the last two years, Pradhan Mantri Awas are not being sanctioned in Chhattisgarh. So much so that 7,81,000 Pradhan Mantri Awas have been returned and Rs. 11,000 Crore have lapsed. After three notices of Central Government, the Chief Minister of my state has said that we would not

contribute our parts to this scheme because of the term 'Pradhan Mantri' being attached to the name of the scheme.

Sir, through you, it is my request to the Government to look into the matter and get the justice delivered to the poor sisters and brothers of Chhattisgarh. I demand to the Central Government to look into this matter and sanction Pradhan Mantri Awas in the State.

**SHRI DEEPAK BAIJ (BASTAR):** Hon. Speaker Sir, the fund allotted to the poor under 'Pradhan Mantri Awas Yojana' for the years 2020-21 and 2021-22 has not been delivered by the Central Government yet. However, the State Government of Chhattisgarh has been demanding to the Central Government for the 60% amount entitled to our State under this scheme.

Therefore, through you Sir, I demand to the Central Government that the fund allotted under 'Pradhan Mantri Awas Yojana' to State be delivered with immediate effect, so that the houses of the poor belonging to Chhattisgarh and Bastar may be constructed.

**SHRI PRADEEP KUMAR SINGH (ARARIA):** Hon. Chairperson, I am grateful and thankful to you for giving me the opportunity to speak on a very important subject.

Sir, I belong to Araria Lok Sabha constituency. It shares its border with Nepal and West Bengal. It is a flood prone area which often witnesses heavy flood. In our state, Wheat and Maize are grown in 15 districts including Araria, Kishanganj and Katihar. In the recent time, our farmers have to start cultivation of Maize, Wheat and vegetables but DAP fertilizer is not available for them.

Sir, through you, I would like to inform the hon'ble Minister that there is stark scarcity of DAP fertilizer and Potash. There is an outcry among the farmers for the fertilizers. There is an outcry among the farmers for the fertilizers. There

is an outcry among the farmers for the fertilizers. Many of the hon'ble Members speaking before me have put up these matters. This should be taken seriously, because our country is an agriculture based economy. .... (*Interruptions*) That area has no industry. The farmers of that place are entirely dependent on the cultivation of Maize, therefore, fertilizers should be made available there immediately. There is scarcity of Potash and Urea there, so, that should also be arranged.

[*English*]

**SHRI ANTO ANTONY (PATHANAMTHITTA):** Sir, through you, I would like to bring the attention of this august House to the 11<sup>th</sup> Report of the United Nations University-Institute for Water, Environment and Health titled 'Ageing Water Storage Infrastructure: An Emerging Global Risk' stating certain safety concerns of the Mullaperiyar dam.

The collapse of this dam will affect the lives and properties of 50 lakh people residing in its downstream. Sir, through you, we request the Government of India to construct a new dam in Mullaperiyar urgently to protect the lives and properties of 50 lakh people in the State of Kerala.

Yesterday night, without notice, the shutters of the dam were suddenly opened and water rushed into hundreds of houses. The families residing on the banks of Periyar river are in real fear. That is why, we need your intervention in this matter.

**SHRIMATI VANGA GEETHA VISWANATH (KAKINADA):** My issue is regarding the AP Bank retirees and their families. Currently, the family pension of the banker is only 15 per cent of the last pay. They are requesting to make the family pension at par with the Government sector and the RBI. This issue is pending for the last 15 years.



The Government has approved upgradation of pension for RBI retirees in 2019. The AP Bank retirees have also been requesting for upgradation of pension for the last 20 years. There are about 2,000 surviving retirees and about 1500 surviving spouses. They retired before 1986 and are getting a minimum ex-gratia amount. I request the Government of India to consider this request for which only Rs. 2 crore to 3 crore are required.

*[Translation]*

**DR. ALOK KUMAR SUMAN (GOPALGANJ):** Thank you Hon. Chairperson Sir. Sabeya airport in Hathua Subdivision in my constituency Gopalganj, which is under Defence Ministry, has been covered under UDAN Scheme. This airport is spread over 517 acres, of which 30 to 40% has been encroached. I have written a letter to the Government of Bihar and the Defence Secretary to remove the encroachment. The officials of Government of Bihar have replied that the land belongs to Ministry of Defence. In these circumstances, action will be taken under the Public Land Encroachment Act, 1956 upon receipt of land documents and instructions regarding regularization from the Ministry of Defence identifying the extent of encroachment.

Hence, Hon. Chairman, I request the Hon. Minister of Defence through you to direct the concerned officials of the Ministry to remove the encroachment so that they may issue orders and the encroachment may be removed for successful implementation of UDAN Scheme.

**SHRI KRISHANPAL SINGH YADAV (GUNA):** Thank you Hon. Chairperson Sir. I would like to draw the attention of the Government through you to the problem of stray animals in my constituency Guna which not only affects the rural areas but the urban areas also. The farmers are not able to protect their crops due to continuously increasing number of stray animals in the area. Animals as well as humans are dying daily due to accidents occurring daily

due to the stray animals roaming in cities, markets and fields. The thriving crops of the hardworking farmers are being destroyed by the stray animals. The stray animals are also creating nuisance in many religious and tourist places which is proving fatal for the tourists also. Keeping in view this chaos, I request the Government to establish Cow Sanctuary or Wild Life Sanctuary so that the stray animals may be protected and the people of the region may get rid of this problem.

**SHRIMATI GEETA KORA (SINGHBHUM):** Thank you hon. Chairperson S. Today, I express my gratitude on behalf of the crores of Tribals for granting me the opportunity to speak.

Hon. Chairperson, It is matter of regret that the existence of the tribals who are natives of India, is in danger today. Their identity, culture and language is gradually fading away. The Government is not serious towards this. Mere plans will not do any good to them. I would like to convey to the Government through you that the Government of Jharkhand has forwarded the unanimously passed proposal of Sarna Religious Code to the Central Government last year.

Sir, I would like to draw the attention of the Government through you that though the Government considers itself the well wisher of the tribals; but mere wishing will not do. It will need to work on ground. Today, the tribals of the country are in danger. If their language and culture is to be protected, they may be allotted separate religious code in the 2021 census.

**DR. S. T. HASAN (MORADABAD):** Thank you very much Sir. Sir, I would like to draw your attention to an important public problem. The vehicles older than 15 years or at some places 10 years have been banned from plying on roads. The people of Middle class and Lower Middle class purchase a vehicle with great difficulties and keep it with great care. Some cars of Middle class families would have run merely 10 to 20 thousand kilometers. When they do not

get extension, they have to sell it off to a scrap dealer. Thus a vehicle of real value of Rs. 10 lakh is sold off at Rs. 50,000 only.

Hence, I would like to convey to the Government through you that such an order be passed which enables old cars to ply on roads after fitness test. Thank you, Sir.

*[English]*

**SHRI SAPTAGIRI SANKAR ULAKA (KORAPUT):** Thank you, Chairperson, Sir. I would like to raise a very important issue. Around 2,100 acres of land was acquired to setup an alumina refinery unit in Kansariguda in Rayagada District, Koraput. This has already been approved by the high-level clearance authority of Odisha. With much struggle, and after the public hearing on environmental clearances, etc. this was cleared just recently.

I would like to request the Ministry of Mines to direct the State Government of Odisha to sign the MoU and ensure that this refinery unit in Kansariguda is established at the earliest because it is almost 14 years that people have lost their land and they are in lot of trouble. With much difficulty this has been approved now. So, I would like to request the Ministry of Mines to direct the State Government to setup the alumina unit in Kansariguda by signing the MoU. Thank you, Sir.

**SHRI MADDILA GURUMOORTHY (TIRUPATI):** Thank you, Chairperson, Sir. One of the issues emanating from State bifurcation is settlement of power dues between the two States.

I wish to draw the kind attention of this House to the fact that an amount of Rs. 6,112 crore is receivable by the Andhra Pradesh Power Generation Corporation Limited from the Telangana distribution utilities. This amount pertains to power supplied by APGENCO to Telangana DISCOMs from the date

of State bifurcation up to 10 June, 2017. The Telangana DISCOMs have recognized the amount as payable, but are yet to make the actual payment.

It is necessary to mention in this regard that immediately after bifurcation APGENCO had expressed its inability to supply power to Telangana. Despite the objection by Andhra Pradesh Government, the Ministry of Power, Government of India had *suo moto* scheduled and compelled APGENCO to supply power.

**HON. CHAIRPERSON:** Please mention about your demand from the Government.

**SHRI MADDILA GURUMOORTHY:** Yes, Sir. The Government of Telangana has now taken a stand that this balance payment will be made along with adjustment for the Electricity Utilities Demerger Plan. I would like to submit that after initially making part payment for three years, now conveying a new stand of adjustment with the implementation of Demerger Plan of power companies is not appropriate.

I would request the Central Government's intervention, at this juncture, to take necessary steps for resolution of this problem. Thank you, Sir.

*[Translation]*

**SHRI ASHOK KUMAR RAWAT (MISRIKH):** Thank you, Hon. Chairperson.

The work of Rail Over Bridge Crossing No. 249 at Railway Station Sandila under district Hardoi in my Parliamentary constituency Misrikh was sanctioned by the Ministry of Railways with the State Government on the basis of cost sharing on 23 Nov 2021. I express my heartfelt gratitude towards Hon'ble Prime Minister and Hon'ble Minister of Railways on behalf of residents

of my Parliamentary constituency. I have served continuous notices under Rule 377 for expeditious action in this regard. ... (*Interruptions*).

**HON. CHAIRPERSON:** What is your demand?

**SHRI ASHOK KUMAR RAWAT:** Hon. Chairperson, I have been requesting continuously for it during Zero Hour and Question Hour.

I again request that the work of construction of this Rail Over Bridge sanctioned by the Ministry of Railways may be started immediately so that people get the facility of transportation and commuting. Thank you.

*[English]*

**\*SHRI GAUTHAM SIGAMANI PON. (KALLAKURICHI):** Hon. Chairman Sir, Vanakkam. In my Kallakurichi parliamentary constituency, the Yercaud Assembly segment is reserved for Scheduled Tribes. As many as 50000 tribes live in the area of Kalvarayan Hills in my constituency. They are the real protectors of the hills of this area. They have not been issued 'Patta' or the ownership right of the land in which they live and engage in agricultural activities. Several cases that are pending in the Hon. Supreme Court are acting as a deterrent in the issuance of Patta to these tribal people. Sir, through you, I urge upon the Union Government to intervene in this matter immediately and arrange to issue Patta for the land where these tribal people live and engage in agricultural activities. Thank you.

*[Translation]*

**DR. MOHAMMAD JAWED (KISHANGANJ):** Thank you, Sir. My question came a few days ago, but I could not get my turn. Thousands of acres of land have been destroyed in our area due to soil erosion by the river since many years in the past. I have given a list of 176 villages to the Government of Bihar which have suffered losses. I request through you that those who have lost their lands should get back lands and those whose houses have been destroyed should get compensation for the houses. The most dreadful fact is that the documents have been lost because, Hon'ble Minister for Home Affairs repeatedly asks for producing documents.

**HON. CHAIRPERSON:** What is your demand?

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\* English translation of the speech originally delivered in Tamil.

**DR. MOHAMMAD JAWED:** Sir, their papers may be made available and the Mahanadi Basin Project may be completed within the next two-three years.

**SHRI BALUBHAU alias SURESH NARAYAN DHANORKAR (CHANDRAPUR):** Hon. Chairperson , most of the farmers in Chandrapur-Yavatmaal in Chandrapur Parliamentary constituency cultivate cotton, soyabean and paddy. There is no textile park till date despite heavy production of cotton here. My Parliamentary constituency is naxalism affected, tribal dominated and backward. Special concessions like 25 percent subsidy in project cost, 25 percent interest free financial aid on seed capital project cost, electricity and income tax exemption should be provided to encourage big industries here. There should be textile park with all the allied industries like Ginning and from pressing to Garment making for economic development of cotton producing farmers of our region. So, I request for special concession for industries for Textile Park to be set up. This will provide employment opportunities to the youth and economic development of the farmers of this region. Thank you, sir.

**DR. DHAL SINGH BISEN (BALAGHAT):** Sir, I am mentioning the same issue as raised by Hon. Nishikant ji, in relation to my region and State. Religious conversion is spreading rapidly in the entire State at present. Specially, the poor and backward people in rural areas are enticed for conversion offering money. Conversion takes place here without following rules. There are heavy disputes between the converts and non-converts in rural areas due to which people resisted religious festivals in the last few days on the occasion of Ganesh Puja and Durga Puja festivals and there were disputes. Thus, a state of dispute is generated in the society and religious fanaticism is spreading there. The person carrying out conversion, retains his old name, uses the same name as original and reaps benefit.

I want that such religious conversion which spreads religious fanaticism should be banned. The people taking benefit of reservation after conversion should not be given any benefit of reservation.

**SHRI HASNAIN MASOODI (ANANTNAG):** Sir, I support the statement which has been made in reference to AFSPA, because Jammu and Kashmir has been the most affected by AFSPA. I come to the real question. With the onset of the winter season, issues have emerged in two sectors. One is the electricity sector and the other is the drinking water sector. Sir, the cut-off schedule that has just been notified in the electricity sector, states 13-hour powers cut in sub-zero temperature. I would like it to be reviewed. In those unmetered areas, consumer does not have any problem, but the places where the Government has not installed meters, there should be a reasonable cut.

The second issue is related to the drinking water sector. When the hon. Minister had visited that place earlier, the situation was good at that time but now everywhere, there is scarcity of drinking water.

Already less than 60 per cent of the population is being provided with clean drinking water and there are interruptions too. Attention should be given to it first. ...(*Interruptions*)

**SHRI RAHUL KASWAN (CHURU):** Sir, there are about 26 notified crops for procurement under MSP in the country. I have been elected from Rajasthan. My Lok Sabha constituency is Churu. This area witnesses large scale cultivation of Guar crop. Rajasthan occupies the largest area under cultivation of Guar all over India. Its maximum production is concentrated in Churu, Nagaur, Bikaner and Hanumangarh districts of Rajasthan. Globally, there is a demand for Guar Gum.



Sir, through you, I would like to request the Government that Guar, Moth and Guarpatha are the crops of Rajasthan and these should also be included under MSP. Farmers sow these crops with great expectation. Their prices in the market go up to 15-20 thousand rupees but after harvesting, their prices come down to five thousand rupees. Farmers incur losses every time.

I, through you, request the hon. Minister that Guarpatha, Guar and Moth should be included under MSP.

**SHRI RAMESH CHANDRA MAJHI (NABARANGPUR):** Sir, the people of Dudwa community are living in Baipari Guda, Kundra area of my Parliamentary Constituency Nabarangpur for a long time. They do not have tribal status. The hon. Chief Minister of Odisha, Shri Naveen Patnaik has written many times to the Hon'ble Prime Minister regarding this. I urge the Government to grant tribal status to Dudwa community.

*[English]*

**SHRI S. R. PARTHIBAN (SALEM):** The river Ganga which is the holy river of India travels 2,500 km and covers one-fourth of the Indian land. Similarly, the river Kaveri is the source of livelihood of the people of four States including Tamil Nadu. In sixteen districts of Tamil Nadu, people use the water of the river Kaveri for drinking and irrigation purposes.

The river Ganga and the river Kaveri have the power to purify themselves naturally, though they both are polluted because of various reasons. From time to time, the Government has made the efforts to stop the pollution. In 2014, the Central Government launched the *Namami Gange* Programme to clean the river Ganga. This project was implemented at an estimated cost of Rs. 20,000 crore. I request the Union Government to implement the project to clean the river Kaveri

also, the holy river of South India, and to allocate the necessary funds for the project in the coming financial year.

*[Translation]*

**DR. (PROF.) KIRIT PREMJI BHAI SOLANKI (AHMEDABAD WEST):** Hon. Chairperson, I thank you for allowing me to speak during the Zero Hour, for which I thank you.

Sir, the income limit for pre-matric scholarship for the students belonging to the Scheduled Castes and the Scheduled Tribes is Rs 2.5 lakh. This is same for the years. After this, many Pay Commissions were set up and the income of the people increased. The income of a peon now is also more than 2.5 lakh rupees. I request you that just as the income limit of OBC has been increased from Rs.6 lakh to Rs.8 lakh, similarly the income limit for the students belonging to the Scheduled Castes and the Scheduled Tribes should be increased from Rs. 2.5 lakh to Rs. 8 lakh.

**LIST OF MEMBERS WHO ASSOCIATED THEMSELVES WITH  
THE ISSUES RAISED UNDER MATTERS OF URGENT PUBLIC  
IMPORTANCE**

<b>Members who raised issues under Matters of Urgent Public Importance</b>	<b>Members who associated themselves with the issues raised</b>
<p>Shri Tapir Gao</p> <p>Shri Ramakant Bhargava</p> <p>Shri Suresh Pujari</p> <p>Shri Sunil Kumar Pintu</p> <p>Dr. Rajdeep Roy</p> <p>Shri Rajvir Diler</p> <p>Shri Mohanbhai Kundariya</p> <p>Shri Rajiv Pratap Rudy</p> <p>Shri Gopal Jee Thakur</p> <p>Nete, Shri Ashok Mahadeorao</p> <p>Shri S.S. Ahluwalia</p> <p>Shrimati Hemamalini</p> <p>Shri Sushil Kumar Singh</p> <p>Shri Sanjay Seth</p> <p>Dr. Pritam Gopinathrao Munde</p> <p>Shri Kaushlendra Kumar</p> <p>Sushri Sunita Duggal</p> <p>Shri Naranbhai Kachhadia</p> <p>Shri Dulal Chandra Goswami</p> <p>Shri Lavu Srikrishna Devarayalu</p>	<p>Kunwar Pushpendra Singh Chandel</p>

Shri Bhartruhari Mahtab Shri Devaji Patel Sushri Diya Kumari Shri Gajendra Umrao Singh Patel	
Shri Vivek Narayan Shejwalkar Shri Rajendra Agrawal	Kunwar Pushpendra Singh Chandel Shri C. P. Joshi
Shri Dharambir Singh	Shri C. P. Joshi Kunwar Pushpendra Singh Chandel
Dr. Manoj Rajoria	Kunwar Pushpendra Singh Chandel Shri Devaji Patel
Shri Gajanan Kirtikar	Kunwar Pushpendra Singh Chandel Shri Malook Nagar
Dr. Nishikant Dubey	Shri Girish Chandra Shri Devaji Patel Kunwar Pushpendra Singh Chandel
Shri Ritesh Pandey	Shri Girish Chandra Shri Malook Nagar
Shri B. Manickam Tagore Dr. K. Jayakumar Shri Gautham Sigamani Pon Shri Karti P Chidambaram Shri M.K. Raghavan Shri Dhanush M. Kumar	Shri K. Navaskani

Shri D.M. Kathir Anand Dr. T. R. Paarivendhar	Shri K. Navaskani Shri Dhanush M. Kumar
Adv. Adoor Prakash	Shri K. Navaskani Shri Anto Antony
Dr. (Prof.) Kirit Premjibhai Solanki	Shri Girish Chandra Shri Malook Nagar
Kumari Ramya Haridas	Shri Girish Chandra Shri Malook Nagar
Adv. A. M. Ariff Shrimati Supriya Sadanand Sule Shri Gaurav Gogoi Shrimati Ranjeeta Koli Shri Girish Chandra Shri Devaji Patel	Shri Malook Nagar
Shri Rahul Gandhi	Shri B. Manickam Tagore Shrimati Supriya Sadanand Sule Shrimati Kanimozhi Karunanidhi
Dr. Kalanidhi Veeraswamy	Shri B. Manickam Tagore Shri K. Navaskani
Shri Satyadev Pachauri	Shri Mukesh Rajput Shri C. P. Joshi Kunwar Pushpendra Singh Chandel
Shri Manoj Kotak	Shri Sudhakar Tukaram Shrangare Shri C. P. Joshi

	Kunwar Pushpendra Singh Chandel
Shri N.K. Premachandran	Shri Anto Antony Adv. Adoor Prakash Shri Rajmohan Unnithan Shri M.K. Raghavan Shri Devaji Patel
Shri Sudip Bandyopadhyay	Shrimati Aparupa Poddar
Shri A Ganeshamurthi	Shri Dhanush M. Kumar

**HON. CHAIRPERSON:** The hon. Speaker has tried his level best to accommodate the maximum number of hon. Members to participate in the 'Zero Hour'. Those who have not got the opportunity to speak will be given preference next time.

The House stands adjourned till 3:30 pm.

**14.34 hrs**

*The Lok Sabha then adjourned till Thirty Minutes past Fifteen of the Clock.*

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**15.31 hrs**

*The Lok Sabha re-assembled at  
Thirty-One Minutes past Fifteen of the Clock.*

(Shri A. Raja *in the Chair*)

**MATTERS UNDER RULE 377\***

**HON. CHAIRPERSON:** Hon. Members, the matters under Rule 377 shall be laid on the Table of the House. Members who have been permitted to raise the matters under Rule 377 today and are desirous of laying them may personally hand over the text of the matter at the Table of the House within 20 minutes. Only those matters shall be treated as laid for which text of the matter has been received at the Table within the stipulated time. The rest will be treated as lapsed.

**(i) Need to rename Singrauli-Patna Express as Shri Banshidhar Express**

*[Translation]*

**SHRI VISHNU DAYAL RAM (PALAMU):** I would like to draw the attention of the Government to a very important issue that Train No. 03349/03350 Singrauli-Patna Express runs daily via Shri Nagar Untari (Shri Banshidhar Nagar) station. Keeping in view the historical and religious importance of Shri Banshidhar Temple, and on my request, the name of the said place, which was earlier Nagar Untari, has been changed to Shri Banshidhar Nagar by the Government of Jharkhand and Ministry of Home Affairs, Government of India. It is noteworthy that Shri Banshidhar Nagar, located on the Garhwa Road-Chopan rail section in Garhwa district under Dhanbad division of East Central Railway Hajipur zone, is called Shri Banshidhar Dham, a major pilgrimage site in Jharkhand. A pure gold idol of 32 maund of Shri Radha-

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\* Treated as laid on the Table.

Krishna ji is established here. Due to the absence of such a statue anywhere else, a large number of devotees from different parts of the country visit here every year.

Therefore, I request the Hon'ble Railway Minister, that in order to highlight the historical and religious importance of Shri Banshidhar Dham, please rename Singrauli-Patna Express as Shri Banshidhar Express.



*[English]*

**(ii) Need to bring Nanded Railway Division under Central Railway Zone**

*[Translation]*

**SHRI PRATAPRAO PATIL CHIKHLIKAR (NANDED):** Nanded-Rail division comes under South-Central Railway since years and one has to visit South-Central Railway Headquarters Secunderabad for rail related issues of Nanded district and nearby areas. Secunderabad is in Andhra Pradesh and the entire part of Nanded Railway Division comes under Maharashtra. Why the Government has not included the Nanded Railway Division under the Central Railway Zone while the headquarters of Central Railway in Maharashtra is in Mumbai. The people of Nanded Division and the concerned railway advisors, social workers, public representatives and people of every section have been raising this demand for years. One of the main reasons for it is that the inclusion of Nanded Railway Division under the Central Railway (Mumbai) headquarters in Maharashtra will also facilitate ease of access for all the staff and public to understand the way of functioning of their own State, language, traveling etc. Therefore, it is my demand from the Government that in public interest, it should seriously consider bringing Nanded Railway Division under the Central Railway and I think, this will address all the above said problems. I hope that the Government will definitely pay attention to this.

*[English]*

**(iii) Need to give impetus to implementation of Pradhan Mantri Awas Yojana (Grameen) in Rajasthan particularly in Udaipur Parliamentary Constituency in the State**

*[Translation]*

**SHRI ARJUN LAL MEENA (UDAIPUR):** Even today, there are many citizens in the country who are unable to build their own house and get the old house repaired due to their weak financial condition. Pradhan Mantri Gramin Awas Yojana has been launched by the Union Government for all such citizens.

PM Gramin Awas Yojana was launched in the year 2015 by the Prime Minister of our country, Shri Narendra Modi Ji.

Through the Gramin Awas Yojana, financial assistance is provided to the citizens of rural areas to get the house repaired and to build a house. This financial assistance is Rs. 1,20,000 for plain areas and Rs. 1,30,000 for hilly areas.

Not everyone is getting the benefit of this scheme in Rajasthan state. I request the Government that keeping in view the seriousness of the matter, kindly expedite this scheme in Rajasthan and in my Lok Sabha constituency, Udaipur, which is a TSP area and people of tribal community live here.

[English]

(iv) **Regarding alleged irregularities in MGNREGA implementation  
in West Bengal**

**DR. JAYANTA KUMAR ROY (JALPAIGURI):** The objective of the MGNREGA is to enhance livelihood security in rural areas by providing at least 100 days of guaranteed wage employment in a financial year to every household whose adult members volunteer to do unskilled manual work. The Government of India has been funding the major share for the Scheme to be implemented by the State. The poor job seekers from different parts are deprived of their right to get 100 days of guaranteed wage employment to do unskilled manual work.

It has allegedly been observed from copies of e Muster roll of various districts of West Bengal that wage payments under MGNREGA is Rs. 1/Rs 2/Rs.5/Rs 10 Rs 33/per head per day for the financial years FY 2021-22, FY 2020-21 FY 2019-20 and FY 2018-19. The material on record prima facie reveals that during payment of wage seeker, no measurement of the scheme was taken to define wage payment, though measurement of the scheme is the only criterion of making payments of wage seeker and material. As a result, hundreds and thousands of rural households have allegedly been fraudulently deprived from their legal entitlement of 100 days guaranteed employment with notified wage rate. Needless to say that in the absence of an effective supervision with punitive action, it has become a den of alleged corrupt officers from panchayat to district level. I draw the attention of the Government of India towards the need to devise an appropriate mechanism to check such alleged gross misuse of public money.

(v) **Need to take remedial measures to prevent land erosion caused by Sone River in Bihar**

*[Translation]*

**SHRI CHHEDI PASWAN (SASARAM):** Indrapuri barrage on Sone river in Tilothu block under Rohtas district of Bihar is the fourth longest barrage in the world. Erosion of about 15 km of embankment from Indrapuri barrage to Ranjit Ganj on the banks of Sone river is happening at a fast pace, affecting about 20 to 25 villages. Sone river is the largest of the tributaries flowing in the central part of India, which is also known as Sonbhadra Shila, it is very important to save the above mentioned villages from its rapid erosion.

Therefore, I request that in order to save the villages from the erosion of the bank of the Sone river, instructions may be issued to the Ministry of Jal Shakti through the Government to carry out anti-erosion work.

*[English]*

**(vi) Regarding Setting up of a Software Technology Park of India (STPI) at Sambalpur, Odisha**

**SHRI NITESH GANGA DEB (SAMBALPUR):** Sambalpur my parliamentary constituency is located in the western Odisha region of the state and well connected by air, rail and road. The above said city is popularly called as commercial, industrial and educational hub of entire western Odisha region. The important offices like - Revenue Divisional Commissioner, Income Tax Commissioner, Regional Headquarters of CRPF, Mahanadi Coal Fields Ltd as well as educational institutions such as Sambalpur University, VIMSAR, Indian Institute of Management, Sainik School and other central govt offices are located in this city. I urge the hon. minister of Information Technology, government of India to approve and allocate fund in the budget 2022- 23 to set up a Software Technology Park of India (STPI) at Sambalpur.

**(vii) Regarding opening of two new Kendriya Vidyalayas at Hailakandi and Ram Krishnanagar in Karimganj Parliamentary Constituency**

**SHRI KRIPANATH MALLAH (KARIMGANJ):** I understand that there is a long standing demand from the people of my parliamentary constituency karimganj for opening of a New Kendriya Vidyalaya at Hailakandi and Ram Krishnanagar.

Presently there is only one KV situated in Karimganj Town which is now not able to accommodate large number of students. Since most of the students are keen to get education through KV, it is very difficult for the administration to adjust and accommodate large number of students in KV, Karimganj. Therefore, if two more KVs become operational, it would release the pressure of admission in KV Karimganj. Keeping in mind the difficulties being faced by the younger students, I request the Government to kindly give a sympathetic consideration to my request for opening of two new Kendriya Vidyalayas at Hailakandi and Ram Krishnanagar respectively.

**(viii) Regarding construction of a Grand War Memorial at Hilli to commemorate the sacrifices of soldier during the liberation of Bangladesh in 1971**

**DR. SUKANTA MAJUMDAR (BALURGHAT):** A war broke out between India-Pakistan on 12.12.1971 after Pakistan's sudden attack on the Indian Army during the liberation battle of Bangladesh which took the lives of 400 Indian soldiers, who fought bravely. A funeral was conducted for all those martyrs at Hilli. The Indian army conquered the Pakistani Army later in a counter attack. Pakistani soldiers surrendered on 16.12.1971 leading to liberation of Bangladesh. Later, a decorated "Saheed Bedi" (Martyrs Altar) was built in Hilli to pay tribute. The Nation offered tributes to the sacrifices made by the brave soldiers while fighting for the country in the war during the liberation of Bangladesh during celebration of its 50th anniversary in 2020. Therefore, I request the Government to construct a grand War Memorial at Hilli to commemorate the sacrifices made by the 400 brave soldiers while fighting for the country in the war during the liberation of Bangladesh in 1971.

**(ix) Need to provide funds for railway projects in Amreli Parliamentary Constituency, Gujarat**

*[Translation]*

**SHRI NARANBHAI KACHHADIYA (AMRELI):** I would like to apprise the Government about three important railway projects in my parliamentary constituency Amreli (Gujarat). First is Khijdia-Amreli-Dhari-Visavadar whose length is 91.27 km and estimated cost is Rs 547.52 crore. Second is Visavadar-Junagarh whose length is 42.28 km and estimated cost is Rs.253.68 crore and third is Visavadar-Talala-Veraval whose length is 71.95 km and estimated cost is Rs.460.23 crore. All these three projects were approved by the Union Government in the year 2015-16 for conversion of meter gauge to broad gauge railway line. After getting the approval, the Railway Department completed the 'Final Location Survey' regarding this work and its report was sent to the Railway Board. After this the Railway Board sent a proposal for wildlife clearance to the Chief Wildlife Warden, Gujarat State through the letter no. 2015/W-I/Gen./PEP/2016, dated 08-05-2019, in which no progress has been made in the works of the above projects. This is a burning issue of my parliamentary constituency and being the main mathak (area) of Amreli district, it is very important to have broad gauge facility because it is several years old demand of Amreli district.

Therefore, it is my request to the Hon. Minister to include the above three projects in the upcoming budget and allocate adequate funds so that the projects can be started again.



*[English]*

- (x) **Need to observe the birthday of Dr. Rajendra Prasad, the first President of India, as 'Medha Diwas'**

*[Translation]*

**SHRI JANARDAN SINGH SIGRIWAL (MAHARAJGANJ):** The birth anniversary of the country's first President Deshratna Dr. Rajendra Prasad is celebrated every year on 03rd December. There has been a continuous demand of the public to celebrate this day as "Medha Diwas". It is because Dr. Rajendra Prasad's intellect has been world famous. Therefore, in view of the public sentiments, it is necessary to celebrate his birthday on December, 03 as "Medha Diwas" at the Government level. His answer sheet, when he was studying in the Calcutta University and on which it was written by an examiner while evaluating that "the student is better than the examiner" should also be demonstrated throughout the country so that the young students of our country get inspired.

Therefore, my demand to the Government of India is that the birthday of Dr. Rajendra Prasad i.e. 03 December should be declared as "Medha Diwas."

*[English]*

**(xi) Regarding development of Sabari Rail Project**

**SHRI BENNY BEHANAN (CHALAKUDY):** There is excruciating delay and non-action in construction and development of Sabari Rail Project.

**(xii) Regarding provision of clinical rotation facilities for Indian students pursuing MBBS professional degree in China**

**SHRI RAJMOHAN UNNITHAN (KASARAGOD):** This is to draw the kind attention of the Government towards the problems being faced by Indian students and their parents pursuing their MBBS Professional degree in China. Thousands of students who were returned for their winter break in January 2020 remained stuck here since Covid tightened its grip and now they are more anxious about lifting of the travel restrictions by Beijing. Meanwhile, these foreign medical Graduates (FMGs) continue their classes and exams online, the lack of access to hands-on practical classes puts a big question mark on their future as medical doctors. As the sufferings of these FMGs continue due to the pandemic, I request the authorities to take necessary action to provide them with clinical rotation facilities in Govt and private Hospitals in India, till they return to Beijing for their offline classes. These Parents and students have already brought their grievances to the notice of the concerned authorities and Ministries of the GOI.

**(xiii) Regarding development of a film city in Udhagamandalam**

**SHRI A. RAJA (NILGIRIS):** Udhagamandalam is called Queen of Hills and lot of tourists visit daily, it being a popular station. Besides, the Hill is gifted with nature's bountiful beauty like Pine Forest, Dodabetta Peak, Dolphin's Nose, King's Park, Koda Nadu, Botanical Gardens, Ooty Lake, Race Course, Avilange etc.

It is also popular for outdoor film shootings and many popular Hindi, Tamil, Malayalam, Kannada films were shot here and to mention a few—Roja, Sadma, Dil Se, Raja Hindustani, Kuch Kuch Hota Hai, Barfi. Taking all these things into account, Udhagamandalam is an ideal place for developing a film city. Vast tract of land is available and the State Government would be helpful in identifying the land.

I would therefore request that the Hon'ble Minister may please consider developing a film city in Udhagamandalam. It would not only improve the economy but also provide employment opportunities to thousands of people in the film industry.

**(xiv) Regarding problems faced in Railway booking in train No. 02652 & 06020**

**SHRI A.K.P CHINRAJ (NAMAKKAL):** I bring to kind notice of this Government that while making booking for the train 02652 from Rasipuram to Chennai Central it shows the option to book but Vice versa is not available, that is for booking from Chennai central to Rasipuram for the same train it's not available. And even Train No 06020 is not stopping at Namakkal station which is important industrial area. Due to this, the passengers are heavily affected and there are many people who travel from Chennai to Rasipuram and Namakkal for their business related activities now they are facing huge problems.

**(xv) Regarding Creation of a National Judicial Infrastructure Authority**

**SHRI RAGHU RAMA KRISHNA RAJU (NARSAPURAM):** I would like to draw the attention of the Government to the proposal of Hon'ble Chief Justice of India seeking establishment of National Judicial Infrastructure Authority to achieve financial Autonomy for the judiciary in the country.

As was rightly pointed out by the Hon'ble Chief Justice of India, the courts in India are still being operated from dilapidated and rented premises without proper facilities like washrooms, waiting rooms etc., which adversely impact the qualitative dispensation of justice. The improvements and maintenance are being carried out in an ad-hoc and unplanned manner. Government should take up modernisation and strengthening of judicial infrastructure to reduce pendency of cases.

So, I urge upon the Minister of Law and Justice to take necessary steps for strengthening and modernisation of the judicial infrastructure on a war-footing manner by creating a National Judicial Infrastructure Authority to take care of these matters from time to time.

**(xvi) Regarding permanent solution to stop the erosion caused by  
Ganga river in Murshidabad district**

**SHRI KHALILUR RAHAMAN (JANGIPUR):** Ganga is a national river and its maintenance comes under the Central Government. Ganga plays a major role in the financial and Agricultural sector in Murshidabad district. Ganga erosion is a major concern for the people of Murshidabad District, especially for Farakka, Samsorganj, Raghunathganj-II, and Lalgola Block. Lots of houses, schools, temples, Mosques, and crematoriums on the bank of the river have no trace left. We have informed the central government many times through Lok Sabha and by letter but no action has been taken for the permanent solution to stop the erosion. My humble request for the sake of those homeless people & others who are to lose their belongings, is to inform the concerned authority to take permanent action to stop the erosion of Ganga and along with that, I appeal to render help to those who have lost their livelihood.

**(xvii) Regarding change in the code word VT on all aircrafts of country**

**SHRI GAJANAN KIRTIKAR (MUMBAI NORTH-WEST):** It is a privilege that I have got the opportunity to express my views on an important issue. State-wise abbreviations are written on the number plates of all vehicles in the country. For example MH for Maharashtra, DL for Delhi etc. Similarly, on the planes of each country, the code words of the respective country are written. VT code word is written on Indian aircraft also. This code word was used during the British rule and is still continuing. It means Victorian or Viceroy Territory. In the end, it is requested from the concerned ministry that, after independence, in lieu of VT on all aircraft of India, code words like Bharat (BH) or India (IND) or Hindustan (HN) etc. should be written.



(xviii) **Need to construct an underpass at Katahari Railway Station in Ambedkarnagar, Uttar Pradesh**

*[Translation]*

**SHRI RAM SHIROMANI VERMA (SHRAWASTI):** I would like to draw the attention of the Government to the railway station located in Ambedkar Nagar, Uttar Pradesh where the construction work of a double railway line is under progress. Roads are adjacent to both the sides of the railway line through which thousands of people commute day and night. There is a need to construct an underpass on the said railway line so that the people who commute may not face any difficulty. It needs to be done in the public interest.

[English]

**(xix) Regarding policy to control the price of cotton yarn and increase cotton production**

**SHRI P.R. NATARAJAN (COIMBATORE):** I wish to highlight serious crisis affecting Tirupur knitting Industry which is garnering lakhs of dollars for Indian economy and providing lakhs of job opportunities. It is facing serious challenges in meeting the price rise of cotton yarn at frequent intervals. Apart from this Hosiery units, power looms and handlooms in Tamil Nadu are reeling under severe crisis.

Tirupur in Tamil Nadu is well known for its knitting and cotton garment industries and is garnering dollars by exporting cotton garments throughout the world. In the past 2 years it is facing various challenges due to price rise of cotton yarn at the intervals of monthly, bi-monthly period, huge increase of logistic fares, and chemicals (DYESTUFFS) used for dyeing the knitting and cotton garments. The reasons for such increases is said to be mainly due to shortage in availability of cotton in the cotton market which is being controlled by the market forces and big business. It is not the only reason for such frequent increase of cotton yarn Prices but it also includes various price rise which are in the chain of production activities. I would like to state that this industry is already in severe crisis due to levying of high percent of Goods and Service taxes (GST) in all its activities., market contraction and lock down etc. Apart from this, knitting industry hosiery units, power looms and hand looms numbering more than 5.63 in other parts of Tamil Nadu are also under threat of closure or lowering the quantity of production. It is the second biggest job provider next to the Agriculture. So, this cotton price yarn threat is not only affecting the industry and economy and GDP but also it is taking away the job opportunities and livelihoods of lakhs of workers. In the past, Industry bodies, trade unions and political parties, have been representing for remedial actions to

the concerned authorities which have not been considered resulting in failure to control the price rise of cotton yarn.

Hence, I request our honourable textile minister for taking pro-Industry and Pro-worker industrial policy to control the prices of cotton yarn and increase cotton production. Apart from this, immediate action is also needed for the establishment of a price monitoring mechanism which is also the urgent need of the hour to save the textile Industry and the workers' livelihood.

**(xx) Need to upgrade College of Agriculture, Nagaur to 'Kendriya Sushk Krishi University' and also release funds for the purpose**

*[Translation]*

**SHRI HANUMAN BENIWAL (NAGAUR):** By drawing the attention of the Government to approve the setting up of a Central Arid Agriculture University in Nagaur, Rajasthan I would like to say that the Government has announced the setting up of new Agricultural University in Andhra Pradesh, Rajasthan, Telangana and Haryana in the budget for the year 2014-15 and a budget provision for 200 crore rupees was made. Financial budget has been allocated to all the mentioned States except Rajasthan. The geographical conditions and institutional development of Nagaur fulfills all the criteria needs for the setting up of a Central Arid Agriculture University. Financial project of 12 crore rupees is going on in the College of Agriculture, Nagaur which is under the Jodhpur Agriculture University. Ninety hectre land is also available with the College of Agriculture in Nagaur. Therefore, kindly release budget to convert the College of Agriculture in Nagaur to Central Arid Agriculture University.

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[English]

**15.32 hrs**

**HIGH COURT AND SUPREME COURT JUDGES (SALARIES AND CONDITIONS OF SERVICE) AMENDMENT BILL, 2021**

**HON. CHAIRPERSON:** The House shall now take up item No. 18 – The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021.

Hon. Members, we are going to discuss this very important and sensible Bill. On behalf of the Hon. Speaker and also on my behalf I request that no comments be passed on the conduct of the judges. Members are requested to confine themselves to the subject matter of the Bill.

**THE MINISTER OF LAW AND JUSTICE (SHRI KIREN RIJJU):** Sir, I beg to move:

“That the Bill further to amend the High Court Judges (Salaries and Conditions of Service) Act, 1954 and the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958, be taken into consideration.”

Mr. Chairman, Sir, the Bill has a very limited provision and it pertains to the pensions of the retired judges. So, I would not like to elaborate much in the beginning. I will be replying on the issues, queries and other suggestions to be made by the hon. Members. I will try to give replies within the time permitted to me by the hon. Chair. I will also explain properly why this Bill was required to be introduced. Thank you.

**HON'BLE CHAIRPERSON:** Motion moved:

“That the Bill further to amend the High Court Judges (Salaries and Conditions of Service) Act, 1954 and the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958, be taken into consideration.”

**DR. SHASHI THAROOR (THIRUVANANTHAPURAM):** Mr. Chairman, thank you for giving me the opportunity to present my party’s views on the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, which has been introduced on the floor of the House by my good friend, Union Law Minister Shri Kiren Rijiju. Perhaps it is fitting that all of us are gathered here today to deliberate on this legislation just a day after the 65<sup>th</sup> death anniversary of his distinguished predecessor, a leader who was in many ways the principal architect of the Constitutional foundation which has firmly guided India since Independence, and that of course is the Late Dr. Babasaheb Bhimrao Ambedkar.

Such is his eternal legacy that the greatness of this extraordinary Indian cannot be reduced to one issue. He was both the holder of many distinctions but yet remarkably greater than the sum of each of his trailblazing achievements. A freedom fighter, a visionary jurist, a champion of social reform, our nation’s first Law Minister and, perhaps, above all, a colossus who had the vision and the intellect to anticipate the problems and challenges that newly independent India would soon have to confront. In the process, he drafted, with remarkable prescience, the best check and balance mechanism in the book of law, our Constitution, a bulwark that would protect the interests of our people for generations to come.

Of course, Dr. Ambedkar realised that it is perfectly possible to pervert the Constitution without changing its form, merely by changing the form of the Administration to make it inconsistent and opposed to the spirit of the

Constitution. Our Constitution, he sagely warned, is only as good as those who work it. That is where India seems, sadly, to be falling short. And I will be remiss if I did not mention that we are debating this legislation a day after the anniversary of the demolition of the Babri Masjid, an incident that remains a blot on our collective consciences and emblematic of the dangers that Dr. Ambedkar warned us about.

Turning to the Bill before us, to put it simply, the Bill proposes to amend the High Court Judges (Salaries and Conditions of Service) Act, 1954 and the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958 and seeks to bring clarity on when Supreme Court and High Court Judges are entitled to an additional quantum of pension or family pension on attaining a certain age. I appreciate the Bill and the legislative clarification that this pension benefit to a retired Judge shall be provided from the first day of the month in which the Judge completes the age specified and not from the first day of his entering the age specified therein. My Party has no difficulty in supporting this measure.

However, the title of this Bill refers to Salaries and Conditions of Service of Judges of the Supreme Court and High Courts. This points to other issues that could usefully have been addressed in this Bill, issues of far greater importance to the democratic foundations of our nation.

The Government should have considered using this Bill to address and resolve critical issues of the Judiciary relating to Conditions of Service such as matters of the retirement age of Judges, particularly High Court Judges, and the implications of that for the pendency of cases in the courts. I would like to ask the Minister whether there are any plans to increase the retirement age of the Judges of the High Courts from 62 to 65 years to bring them on par with the retirement age of the Supreme Court Judges who retire at 65. There have been important recommendations from experts to this effect. The 2002

Venkatachaliah Commission Report, for instance, had recommended that the retirement age of High Court Judges be increased to 65, though he then added that the Supreme Court Judges should retire at 68, while many felt, of course, that the two ages should be the same. The UPA Government sought to implement this age increase recommendation through the Constitution (114<sup>th</sup> Amendment) Bill, 2010, which provided for increasing the retirement age of High Court Judges from 62 to 65. But unfortunately, the Bill could not be taken up for deliberations and it lapsed on the dissolution of the Lok Sabha in 2014. Even so, the importance of this measure was subsequently reiterated again by Justice Kurian Joseph of the Supreme Court who recommended in 2018 to increase the retirement ages of the Judges of the higher Judiciary to decrease the pendency of cases.

Despite such measures offering, at least, a partial solution to the alarming levels of pendency that plague our top courts, it is both surprising and worrying that the Ministry of Law and Justice has declared that there is neither a proposal as of now to increase the retirement age of Supreme Court Judges from 65 to 67, nor to bring those of the High Court colleagues to an equal footing from 62 to 65 and provide a uniform retirement age for Judges of High Courts and Supreme Court. This illogical position blatantly contravenes the recommendations made by the Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice which has pointed out that there is a need to revisit the age of retirement of High Court Judges to compensate for the large number of vacancies existing in the High Courts. Surely, my good friend, the hon. Minister will agree that if we are discussing Conditions of Service of Judges, we need to urgently address the most fundamental impediment to the effective functioning of the Judges: the staggering vacancy rate in judicial positions across the country. This is the problem that once drove a sitting Chief Justice of India to



tears in front of the Prime Minister. But even his tears appear to have left the Government unmoved.

As the old legal cliché goes, justice delayed is justice denied. How can we expect justice to be delivered in a timely manner when 406 posts of judges are currently lying vacant in 25 high courts around the country? Against the sanctioned strength of 1098 as of November 2021, 406 are vacant. That is 41 per cent of the total strength. In all the high courts of Delhi, Allahabad, Kolkata, Gujarat, Madhya Pradesh, Patna, Punjab, Haryana, Rajasthan, Telangana, there are shortages of more than one-third of the total strength of judges.

This is not just an issue that affects the citizens of a country for whom, in these conditions, the process of seeking justice has in many ways become a punishment in itself. It also holds worrying ramifications for the governance of our nation. It will be a matter of grave concern for all of us in this House when we recall the warning issued by the Supreme Court which pointed out that the Government's administration will also come to a standstill if vacancies in the courts, and pendency of cases are not taken into consideration for immediate remedial action. There are staggering 4.4 crore cases pending in the country, that include over 3.77 crore cases in the subordinate courts, 57 lakh cases in the high courts, and 73,000 cases in the Supreme Court as of September this year.

Between 2010 and 2020, pendency across all courts has grown by 2.8 per cent annually. These grim numbers clearly imply that even if no new cases were to be filed starting from today, the time taken by the courts to dispose of just the currently pending cases at the current disposal rate, would be 1.3 years for the Supreme Court, and three years for each of the high courts, not to mention, even longer for the subordinate courts. Of course, we know the situation has been further aggravated by the pandemic which has resulted in a 20 per cent increase in pending cases in the high courts and 13 per cent in the subordinate courts. We

all know that there is no chance that we can see a reduction in the rate at which new cases are being added to the dockets of our courts.

Respected Chairman, if one were to draw a comparison with the international front, it can be seen that the standard retirement age for judges is around 70 years in countries like Denmark, Belgium, Ireland, Australia. In other top courts, such as the Supreme Court of the United States, and in constitutional courts in Austria and Greece, judges are appointed for life. The judge-population ratio in India, 21.03 judges per million population today, is among the lowest in the world. Whereas, countries like UK have 51 judges per million people. The US has 107 judges per million population and Canada has 75 judges per million people. We should, therefore, certainly want to look at the conditions of service of our judges, increase their retirement age in order to fill vacancies for a longer period and at the same time to reduce pendency.

There are overwhelming reasons for this Government to recognise that the establishment of a higher and uniform retirement age for judges in our superior courts would enable them to discharge their judicial duties not just independently, but also allow them to do their work without worrying that they will have to step aside when they are in their prime. It will also fortify the rule of law and protect the fundamental right to speedy justice assured under Article 21.

The worst pendency of cases at all levels can, therefore, be effectively tackled by increasing the number of working days available to a judge by increasing his tenure. It will be considerate if the Ministry would plan to address issues like increasing the retirement age of judges and reducing the huge arrears of cases along with some other vital challenges such as lack of transparency, particularly in the appointment of judges, the long detention of under-trials, and lack of information and interaction between people and courts.

Our objective should always be to strengthen the Indian legal system and bring the best judicial benefits to the citizens of the country.

At the same time, in order to prevent an overt concentration of power in the hands of one supreme institution, it would be wise to examine other practices that have been found to have merit across the world. For instance, why not establish multiple courts of appeal as has been proposed recently by the hon. Chief Justice of India. India can certainly benefit from the creation of Four Circuits of a Court of Appeal between the High Court and the Supreme Court. Not only will such an arrangement go a long way towards ensuring the distribution of power -- a central goal of democracy -- but also, will facilitate regional representation and access to justice to the higher judiciary with four courts of appeal situated in the North, South, West, and East of our country. These courts would reduce the burden on the Supreme Court which could then truly function as a constitutional court dealing only with cases carrying constitutional implications.

Now, Sir, the reason that we are discussing and debating proposals to strengthen our Judiciary even beyond the routine one under consideration in this Bill, is that decent conditions of service are a contribution to reinforcing the independence of the Judiciary and in doing so, to strengthening democracy itself. For instance, the earlier a Judge retires, the greater his need for a remunerative post-retirement activity and consequently, the greater his or her vulnerability to the blandishments of the Government of the day, which might be in a position to give him such a post-retirement job.

Aristotle famously said that the law should govern. Dr. B.R. Ambedkar said that democracy should rest on the rule of law. While democracy focusses on who exercises power, the rule of law determines how power is exercised. In fact, so intertwined are these two concepts that the United Nations General Assembly

– a Forum representing all the States in the world – recognised that human rights, the rule of law, and democracy are interlinked and mutually reinforcing.

We all know that disputes are bound to arise between citizens and governments. That is normal in any State. This is where the Judiciary plays a pivotal role; settling disputes independently in accordance with the principles of the rule of law under the Constitution. That ensures that all individuals – regardless of background or gender or status – are equal under the law. The hon. Supreme Court has done a great job on that since 1950. It is well-regarded; it is a prominent judicial institution across the globe. It has rendered several path-breaking judgments, defining legal discourse and settling, in many ways, prominent positions of law in independent India. But it is also true that its independence and transparency have come under scrutiny in recent years.

As Montesquieu had famously written, ‘there is no liberty if the Judicial power is not separated from the Legislative and the Executive Power’. We are increasingly witnessing this adage play out in the scheme of things in India today with the Executive’s overarching, sometimes invisible and occasionally indirect control over the Judiciary, contrary to the Directive Principles of State Policy provided under Article 50 of the Constitution to ensure the separation of the Judiciary from the Executive in the public interest. That is why, this debate is so important today.

The first problem has been the Government’s increasing influence over judicial appointments and transfers. Sir, it is interesting that in the Constituent Assembly in 1949, a speaker from your State said and I quote:

“It is of the highest importance that the Judges of the Supreme Court should not be made to feel that their existence or their appointment is dependent upon political considerations or on the will of a political party. Therefore, it is essential that there should

be sufficient safeguards against political influence being brought to bear on judicial appointments. Of course, if a Judge owes his appointment to a political party, certainly in the course of his career as a Judge and also as an ordinary human being, he will certainly be bound to have some consideration for the political views of the authority that has appointed him. That the Judges should be above all these political considerations is essential.”

That is Dr. Pocker Sahib from the Madras constituency in the Constituent Assembly.

Now, given that basic understanding, it is unfortunate that the Executive has appeared to be wielding its apparent influence over the Judiciary going back to the very first term of this Government from 2014, its face-off over the National Judicial Appointments Commission in 2015, the tussles between the Judiciary and the Executive, and you will remember that an eminent senior advocate withdrawing from consideration for elevation to the Supreme Court given the implacable hostility of the Executive, because of his previous position as Solicitor General during the UPA-II and his role as the Amicus to the Supreme Court in the ... #encounter case. A number of judges were transferred inexplicably. I have the details with me. I have a number of examples. But I will omit them to save time today.

Even when their retirements were only a few months away or when their transfers implied a demotion. At least two of these transfers involved judges who had earlier ruled unfavourably from the Government’s point of view in the ... # and ... #.

Now, sticks can be balanced with carrots. We witnessed the appointment of former Chief Justice of India as a Rajya Sabha MP.

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#Expunged as orderde by the Chair.

*[Translation]*

**THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF CULTURE (SHRI ARJUN RAM MEGHWAL) :** This is not related to this... \* case and before that... \* talked about that. This is not right...(Interruptions) You have just given the observation. ...(Interruptions)

*[English]*

**THE MINISTER OF PARLIAMENTARY AFFAIRS, MINISTER OF COAL AND MINISTER OF MINES (SHRI PRALHAD JOSHI):** He is referring to the particular case. *[Translation]* You want to talk about the judgment by referring to a particular case? This is still going on...(Interruptions) *[English]* That is going on. It is unfair.

**HON. CHAIRPERSON:** We will check the record. I will check the record. If anything has to be removed, it will be removed.

... *(Interruptions)*

**DR. SHASHI THAROOR:** That is only on the issue of transfers. Since we are meeting the day after 29<sup>th</sup> anniversary of the grievous act of demolition of a place of worship, it is only fitting to recall how that act of vandalism was in effect legitimized by the Court. There has clearly been a failure on the part of the Judiciary to stem the irresistible tide of militant majoritarianism.

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\* Not recorded.

We also know the Court obligingly deferred lawsuits challenging many Government actions. The Government was awarded a clean chit on the Rafale Jet investigation case on the basis of famous sealed covers containing evidence that the CJI exchanged between himself and the Government alone. This is utter disregard for following sound legal procedure and traditions of the institution which is also visible in the voice samples case, in which Article 142 was invoked to judicially authorise the mandatory collection of voice samples as preferred by those in power.

Now, we are seeing this ... #case. This is another well-known one. Eversince the Government has taken an overwhelming upper hand in filing draconian charges under the Unlawful Activities (Prevention) Act against any form of dissension, ... (*Interruptions*)

**HON. CHAIRPERSON:** Quote the rule.

*[Translation]*

**DR.NISHIKANT DUBEY (GODDA):** Sir, I am on a point of order...(*Interruptions*) Sir, Rule 352 (1), whether it is ...\*\*or....\*\* case...(*Interruptions*) [*English*] refer to a matter of fact on which a Judicial decision is pending. How can he refer? [*Translation*] Judicial decision is pending in both the cases...(*Interruptions*)

*[English]*

**SHRI GAURAV GOGOI (KALIABOR):** He is referring to the conduct of the Government.

**DR. NISHIKANT DUBEY:** This is not the conduct of the Government.

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# Expunged as orderd by the Chair.

\* Not recorded.

*[Translation]*

**SHRI ARJUN RAM MEGHWAL:** Sir, you cannot take the reference if the matter is in court. You can't refer it if the matter is in court...*(Interruptions)*

*[English]*

**SHRI PRALHAD JOSHI:** How can he refer to that case?

**HON. CHAIRPERSON:** Mr. Nishikant, please read the rule.

**DR. NISHIKANT DUBEY:** Refer to any matter of fact on which a Judicial decision is pending. *[Translation]*... if it is about..\* or....\*, judicial decision is pending in all the cases. You cannot refer that...*(Interruptions)* or you can tear this rule book...*(Interruptions)*

*[English]*

**DR. SHASHI THAROOR:** There is a fundamental misunderstanding on the part of those objecting.

*[Translation]*

**SHRI ARJUN RAM MEGHWAL:** Sir, rules were made so that the judicial decision on that case may not get affected during the debate...*(Interruptions)* Chairman Sir, rules were made because if we refer to any case in the House it means that we are influencing that case...*(Interruptions)* You are influencing the judicial decision..*(Interruptions)*

*[English]*

**HON. CHAIRPERSON:** Mr. Shashi Tharoor, you are a senior Member. Any case pending before the Court cannot be commented in the House.

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\* Not recorded.



**DR. SHASHI THAROOR:** But I am not entering into the merits of the case. I am not going into the merits.

**HON. CHAIRPERSON:** Nishikant Ji, please sit down.

*[Translation]*

**SHRI ARJUN RAM MEGHWAL:** This is going on the basis of merit...*(Interruptions)* He has called it a fake encounter...*(Interruptions)*

*[English]*

**SHRI PRALHAD JOSHI:** Sir, till the case is decided, how can he call it as a fake encounter? Is he trying to influence? Is he trying to influence the Judge or the Judgement? What do you want?

**HON. CHAIRPERSON:** It has already been observed by the Chair that if anything has to be removed, as per the procedure, it will be removed. I will check the record.

Mr. Shashi Tharoor, any pendency of the case cannot be commented in this House. You know better. Confine yourself to the issue on salaries and conditions of service.

**DR. SHASHI THAROOR:** Sir, let me give an example of a case that is not pending, which is another example in which the ... \*has been the National Anthem's case.

**HON. CHAIRPERSON:** Please come to the provisions of the Bill.

**DR. SHASHI THAROOR:** Sir, the point is that we are seeing that decisions have been made one after the other which go beyond the questions of

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\* Not recorded.

Separation of Powers, that we have talked about, between the Executive and the Judiciary. I was giving examples to substantiate a conclusion in the House. The fact is that if you were to look very carefully at other matters, if you look, for example, at the abrogation of article 370, there is *an ipso facto* concern of the Executive influence which has seemingly constrained the Judiciary. The Court was seen as a constitutional instrument to define the limits of Executive control over the erstwhile State of Jammu and Kashmir and to answer a number of vital questions. Can article 356 be used to suspend an Assembly in a State and then alter the nature of the State itself? Can a State be down-graded to a Union Territory? These are constitutional questions. But by repeatedly delaying the hearing of petitions challenging the constitutional validity of this act by the Executive, the Supreme Court has abdicated... \* its role as a protector of the Constitution. While the Court delayed consideration, our brothers and sisters from Jammu and Kashmir suffered from civil rights restrictions, the arrest and detention of many political leaders including a colleague from this House, as well as the unprecedented blackout of all means of communications and internet demonstrating after all disregard for citizen's Fundamental Rights. These are the rights that the Judiciary has the mandate to protect.

We have the same problem with *habeas corpus* petitions. The key constitutional tool to empower citizens on their Fundamental Right to Life is under threat. A majority of the large number of *habeas corpus* petitions were left pending for long periods of time before the Jammu and Kashmir High Court and it is noteworthy to note that Rule 8 of the High Court Case Flow Management Rules 2010 clearly states that the *habeas corpus* petitions should be disposed of within 15 days. Despite this, it took an average, for the J&K High Court, 252.5 days to hear petitions which had to be settled in 15 days. It is a blasphemous number of days when compared to the urgency that is required by *habeas corpus*

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\* Not recorded.

petitions. Many commentators have contrasted this with urgency with which the Bombay High Court dealt with a Writ of a certain editor of a television channel who claims to deliver news that the nation allegedly wants to know. Similar urgency on cases involving critics of the Government and ordinary citizens of the country would be the true sign of a court that carries out its functions independently.

We have also seen lassitude by the Judiciary in hearing cases challenging the Citizenship (Amendment) Act. Despite multiple petitions, the Supreme Court, for example has, till today, allowed the current dispensation to go about its business, hearing the matter only three times since the law was passed in 2019. It has not heard cases challenging Section 435 of UAPA, which has denied bail to dozens of defendants. I might add that the protection of civil rights has long been considered one of the key duties of the Judiciary.

Sir, as far back as 2013, the Guwahati High Court ruled that the CBI was, in effect, an illegal body since it was not established under any statutory authority. The SC stayed that judgement but has conducted no hearing into the matter with far-reaching implications for the nation. Then there are issues that are not pending before the court, but ignored by the courts, like demonetisation where a Three-Judge Bench of the Supreme Court promised a larger Bench to consider the issue, but the larger Bench was never constituted. And the question of whether demonetisation was constitutionally valid, might now be at best an academic exercise, but that is not an exercise that our courageous Judiciary was willing to undertake. Several issues on the direct and indirect violations of article 300A on Right to Property, article 14 on Right to Equality, article 19 (i) (d) on Freedom of Movement, 19 (i) (g) on trade and business, article 21 on Right to Life remained to be answered in relation to this. By its continued inaction, the court has just not allowed the Government's sins against the citizens of India to remain unpunished but led some critics to ask whether the Supreme Court

should also be considered an accomplice to the violations of rights granted by the Constitution.

Sir, now, I would not go into more examples. You have got the picture as to why I have raised these matters. On the migrant tragedy when the COVID-19 struck, again the Supreme Court rejected several petitions challenging the sadness of the move.

**16.00 hrs**

Sir, the fact is the issue of judicial insensitivity is linked to the simple question of whether the conditions of service ..... (*Interruptions*)

**DR. NISHIKANT DUBEY:** Sir, I am on a Point of Order. Rule 352 (v) says:

“(v) reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper terms.”

*[Translation]*

The three-four quotes he made questioned the Supreme Court that it did half of the hearing, debate and did nothing on demonetization ...(*Interruptions*)

*[English]*

**HON. CHAIRPERSON:** Dr. Dubey, you referred this Rule which talks about the conduct of persons in high authority. He did not mean any person. Of course, I heard him.

... (*Interruptions*)

**DR. NISHIKANT DUBEY:** Everybody knows *[Translation]* that it is pending with the Chief Justice...(*Interruptions*)

*[English]*

**HON. CHAIRPERSON:** He did not pass any comments on any particular judge. Please understand it.

... *(Interruptions)*

*[Translation]*

**DR. NISHIKANT DUBEY:** In that case, he should not participate in the debate also, because... \* ...*(Interruptions)* He should not take part in this. He is a Chairman of a committee...*(Interruptions)*... \* ...*(Interruptions)*

**SHRI PRALHAD JOSHI:** His case is in Highcourt...*(Interruptions)*

**THE MINISTER OF STATE IN THE MINISTRY OF JAL SHAKTI AND THE MINISTER OF STATE IN THE MINISTRY OF FOOD PROCESSING INDUSTRY (SHIR PRAHALAD SINGH PATEL) :** The Congress is making a mistake..*(Interruptions)*

**SHRI PRALHAD JOSHI:** This is the mistake of the Congress because you have given the name...*(Interruptions)*

*[English]*

**HON. CHAIRPERSON:** Dr. Nishikant Dubey, hon. Member, Dr. Shashi Tharoor did not pass any comments on any individual judge. He criticized to some extent about the institution and the judicial delay. Even if it is so, I will check it again. If it is necessary, then I will remove it from the record. But do not interrupt now.

Dr. Tharoor, please continue.

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\* Not recorded as ordered by the Chair.

... (*Interruptions*)

**DR. SHASHI THAROOR:** Now that we have heard the voice of the ... \*\* we can continue with the substance of my argument which is that the conditions of the service have a serious bearing on the lack of separation for the Executive, for the Judiciary and thereby have a palpable effect on the conduct of our judiciary in delivering justice to the common citizen of India. That is my very simple argument. I was giving examples to substantiate this argument.

The fact is that we can find more examples. I will just take another five minutes and then conclude.

The Judiciary's complicity in the Government's actions have been manifested in all the examples that I gave. Then, the culpable involvement of the Electoral Bonds Scheme is a venture which has undermined the transparency of our electoral processes and the very foundation of our democracy. The fact is that the Supreme Court has had very few hearings over the issue over the last four years and it has refused to stay the implementation of the Scheme while ignoring the red flags waved even by the Election Commission of India.

It must be remembered that the inaction of the judiciary almost always favours those in power because it is their actions that are being challenged in the court. When the court fails to hear a case against the Government, it is effectively deciding by default in favour of the Government. That is the concern that we should all have.

To truly build a new India, we will need to separate the powers and roles of the Legislature, the Judiciary and the Executive to ensure that the first two do not become mere rubber stamps for the third. This requires a clear separation of powers in order to ensure both efficiency and democracy. By ensuring the status

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\*\* Expunged as ordered by the Chair.

and conditions of service of our judges, we are giving them the opportunity to increase their productivity and exercise true judicial independence.

As Dr. Ambedkar famously pointed out,

“However good a Constitution may be, if those who are implementing it are not good, it will prove to be bad and however bad a Constitution may be, if those implementing it are good, it will prove to be good.”

We all know this famous line. The true success of our efforts today will only come if the Government proposes a larger Bill to increase the age of retirement of judges, fill vacancies, reduce pendency of cases, and eliminate post-retirement appointments in Government or at least have a three to five year cooling off period before any such appointments can be made for judges, to guarantee the judiciary’s independence. Until then, we must confront the kinds of problems I have outlined that plague our higher judicial system and hamper its effectiveness.

I, therefore, support this Bill while deploring its inadequacy in addressing the major challenges that our judges and judiciary must still overcome in the interests of our citizens and democracy. Thank you, Mr. Chairman.

**SHRI P. P. CHAUDHARY (PALI):** Thank you, Sir, for affording me the opportunity to speak on this important issue High Court and Supreme Court Judges (Salaries and Conditions Of Service) Amendment Bill, 2021. In the Bill, a very small clarification is there that, on the completion of a particular year of age, the Judge is entitled for the pension.

Sir, I rise to support this Bill. I would also like to say that as far as the salary part is concerned and pension part is concerned, this hon. august House always supports it. So far as the remuneration part of the judges is concerned – it may be High Court or it may be Supreme Court or it may be subordinate court – it is far less compared to the other countries. That is the reason that even after superannuation, some get employment elsewhere.

Now, regarding the question of conditions of service, as far as the conditions of service with respect to the appointment of the judges are concerned, it is there in the Constitution of India itself. It is for the High Court and Supreme Court judges. But for the subordinate judiciary, it can be done by an Act of the State legislature or it can be provided under the rules framed by the Hight Court.

So far as the conditions of service are concerned, the conditions of service of the judges of the Supreme Court are framed under Article 125 of the Constitution of India and under 221 of the Constitution of India for the High Court judges. The Parliament is competent to lay down the conditions of service of the High Court and Supreme Court judges. Apart from their appointment, other conditions of service can be laid down by the Parliament.

Now, we talk about independence of judiciary and all these things. This part has been given by the Constitution to frame the conditions of service by the Parliament. So far as the appointment part is concerned, it is under Article 124. If we read the conditions of service, we can see that so many conditions of



service in the Act 1954 and 1958. I will come later on to the exact issue of independence of judiciary.

When we consider about leave, even for leave, the condition of service is to be laid down by the law made by Parliament. Even for salaries and pensions, the conditions of service can be laid down by the law made by Parliament and other conditions of service are also contemplated regarding perks etc. Not only the salaries of the judges are protected, the tenure is also protected. So, we can say that the independence of judiciary is secured by the Constitution of India.

When we come to the judicial reforms, the judicial reforms are not limited only for dealing with the filling up vacancies and other issues. It is also related to the conditions of service of the judges. It is also related to the appointment of judges because the Constitution framers specifically provided under Article 124 that the judges of the Supreme Court shall be appointed by the President of India after consultation with the Chief Justice of India.

In this connection, as far as the High Court judges are concerned, the High Court judges are appointed by the President of India under Article 217 after consultation with the Governor and the Chief Justice of the High Court.

So, the consultation part is there. For 43 years, right from 1950 to 1993, this practice has been there. A large number of judges were appointed in the Supreme Court and High Courts. They were exceptional judges. They rendered quality judgements. Their judgements are referred everywhere. Even these days also, they are laying the basic principle of law.

So, we cannot say that the judges who were appointed before 1993 under Article 124 and 217 of the Constitution of India were lacking quality. Everybody knows what type of judges we are having after 1993. I am not saying that the judges are not good. They are equally rendering very good judgement. But we cannot say that when the Executive involvement was there, the quality of judges

was less than the quality of judges that we are having today. All the judges prior to 1993 were equally competent.

Sir, the First Judges' Case was filed by Shri S.P. Gupta. In the judgement of this case, the word "consultation" appearing in Article 124 and 217 of the Constitution of India was defined that "consultation" means that no primacy can be given to the Chief Justice of India and apart from this, it stated that consultation does not mean concurrence. That was the judgement in the First Judges' Case which came in 1982 where it stated that consultation does not mean concurrence. So, the problem started from Second Judges Case, 1993, because it amounted to re-writing of the Constitution by this judgement. Then, a reference was made by the President of India under Article 143 of the Constitution of India. If we see Article 143 of the Constitution of India, it provides for seeking the opinion of the Supreme Court. Now the question is, whether the opinion rendered by the Supreme Court is binding on the President. We have to consider this very seriously. Whenever the "opinion" of the Supreme Court is sought by the President of India, while exercising the power under Article 143 of the Constitution of India, that opinion can be binding on the Government as it happened in third Judges case in 1998.

So, Article 143 of the Constitution of India provides the power to the President to consult the Supreme Court. It says:

"If at any time it appears to the President that a question of law or fact has arisen, or is likely to arise, which is of such a nature and of such public importance that it is expedient to obtain the opinion of the Supreme Court upon it, he may refer the question to that Court for consideration and the Court may, after such hearing as it thinks fit, report to the President its opinion thereon."

Now, we have to see the difference between ‘opinion’ and ‘consultation’. Whenever the President of India consults the Supreme Court under Article 143 of the Constitution, that opinion is binding as per third Judges case 1998. Keeping in view these facts, in 1998 the system of Collegium was created and the judges required to be appointed on the basis of the recommendation of the Collegium. The Collegium was required to be created at the level of the High Court and the Supreme Court. The procedure adopted by the Collegium is that three judges constituting the Collegium send the recommendation to the Government.

We all know that the Chief Justice of a High Court of a State is normally appointed from outside the State. Now, where the Benches of the High Court is situated at more than one place, then the Chief Justice need not necessarily know about all the candidates. Secondly, even the second senior-most judge is also from outside the State. He also may not know about the details of all the candidates. Then, the third judge, if he is not sitting in the Bench even for a single day, can also participate. Now, they do not have the information which the Executive is having.

**SHRI BHARTRUHARI MAHTAB (CUTTACK):** Justice J.S. Verma, who was the architect of the Collegium system, has later said that we have to do away with the Collegium system.

**SHRI P. P. CHAUDHARY:** Yes, I will come to that point later.

Now, we have seen that 40 to 80 per cent recommendations made by the High Court were declined by the Supreme Court. It shows that the procedure adopted by the Collegium of the High Court and the Supreme Court is not fool-proof and they do not have any mechanism to know the antecedents of the candidates. Once it was found by the Supreme Court later that there were serious issues against a candidate whose name was recommended by the Collegium of a

High Court. So, it is not possible for a High Court to go into all the details because appointment has nothing to do with the independence of the Judiciary. Once a person is appointed, then only the independence of the Judiciary starts, not before that. Even when the names reach the Supreme Court, one list is sent to the Chief Minister, to the Governor, to the Law Ministry and also to the Chief Justice of India. Then, everything is processed there and the comments of the Law Minister is also there. But strangely enough, even those comments are not taken in the Minutes of the Proceedings of the Collegium of the Supreme Court. Now, the Law Minister is accountable to the Parliament. But with respect to the appointments of the Judges of the High Court and the Supreme Court, I cannot hold him accountable in view of the judgement of the Supreme Court rendered recently.

Sir, we are having a parliamentary democracy where all the Ministers are accountable. But it is very difficult to hold the Law Minister accountable because he has no role to play here. He has no role in filling up the vacancies available for the Judges in the High Courts and Supreme Court. The mechanism and process used to be started by the High Court Judges and completed by the Supreme Court Judges. So, there is no role of the Ministry of Law in this connection. This is the reason that the NJAC was enacted, and the Parliament unanimously, except one vote, passed that law. But unfortunately, the Supreme Court declared it *ultra vires* on the ground that the independence of Judiciary is the basic structure of the Constitution.

But I would like to say that firstly, 'democracy' is the basic structure of the Constitution of India. Once we say that 'democracy', is the basic structure of the Constitution of India, the intervention with the functioning of the Executive should not be there. I can understand intervention with the functioning of the Judiciary. Though it is also a violation, but so far, it is the power of appointment, which has been given to the Executive by framing the Constitution. We are

having a very unique type of Constitution. We do not have the Executive, which is exercising all the powers of Judicial appointment. The Judiciary as well as Executive, both are exercising their powers.

Now, if we see the entire scheme and intent of the Constitution, there are Articles 103 and 192. If a Member of Parliament is disqualified, an exception is there where the President is not required to act on the aid and advice of the Council of Ministers. The President is required to seek the opinion from the Election Commission and he is bound by the opinion rendered by the Election Commission. So, as per Constitution, wherever the President is required to act in accordance with the mandate of that opinion, a particular provision is there. This is the reason that under Articles 103 and 192, where a Member of Parliament or State Legislature is disqualified, that disqualification is required to be considered by the President of India only on the basis of the advice rendered by the Election Commission.

Sir, apart from this, I would also like to speak as to what has happened after the NJAC judgment. It is very strange. These opinions are required to be kept in mind by this hon. august House and also by the Government while taking a view. I would like to quote from the judgment given by some of the Judges. On 16<sup>th</sup> December, 2015, when the NJAC was declared *ultra vires*, almost every Supreme Court Judge, on a 5-Member Constitution Bench hearing the case, made scathing comments on the opacity of the present collegium system and recommended changes in the collegium system making it more transparent and accountable. In the last two paragraphs of the consenting judgment of Shri Justice Joseph Kurian, now retired, he has agreed with the views of Shri Justice Chelameswar. I am quoting from the NJAC judgment where the NJAC was declared *ultra vires*. It says:

“The present collegium system lacks transparency, accountability and objectivity. The trust deficit has affected the credibility of the collegium system. Quite often, very serious allegations and many a time, not unfounded too, have been raised that its approach has been highly subjective. Deserving persons have been ignored wholly for subjective reasons. Social and other national realities were overlooked. Certain appointments were purposely delayed so as either to benefit vested choices or to deny such benefits to the next patronised. Selection of patronised or favoured persons were made in latent violation of the guidelines resulting in unmerited, if no, bad appointments with dictatorial attitude of the collegium seriously affecting the self-respect and dignity, if not independence of Judges. The Court, particularly, the Supreme Court often is being styled as the Court of the collegium. The looking forward syndrome affecting imparting assessment, etc., have been some of the other allegations in the air for quite some time.”

The observation of Shri Justice Madan B. Lokur in his consenting judgement wherein he stated: “Executive had an equally important participative role in the integrated process of appointment of the Judges where I have stated even the dissent note of the Ministry or of the Government cannot be a part of the agenda. That the Executive adopted a defeatist or an ‘I do not care’ attitude is most unfortunate”. Shri Justice Madan B. Lokur further stated: “The political executive has to share the blame equally if not more since it mortgaged its constitutional responsibility of maintain a check on what may be described as the erroneous decision of the Collegium.”

Justice Joseph Kurian further, in his judgement, stated that the active silence of the Executive in not preventing such unworthy appointments was actually one of the major problems. Therefore, the Collegium system needs to

be improved requiring a 'glasnost' and a 'perestroika'. Then, again in another Judgment dated 04<sup>th</sup> July, 2017, in the Supreme Court *suo moto* contempt proceedings against a Judge of Calcutta High Court wherein two then Judges of the Supreme Court Shri Justice J. Chelameswar and Justice Ranjan Gogoi, inter alia highlighted that there is a need to revisit the process of selection and appointment of the Judges. We have to take the note of these judgements. I request the Government to revisit the collegium system in view of Articles 124 and 217. The spirit and object of Articles 124 and 217 are required to be restored.

Apart from this, recently, the above two Judges judgement stated further that this case highlights two things. One is the need to revisit the process of selection and appointment of judges to the Constitutional Courts, for that matter any member of the judiciary at all levels; and secondly, the need to set up an appropriate legal regime to deal with the situations where the conduct of a Judge of a Constitutional court requires corrective measures – other than impeachment – to be taken.

The Judgement further states: "Obviously, there is a failure to make an assessment of the personality of the contemnor at the time of recommending his name for elevation". It also states: "Our purpose is not to point fingers at individuals who were responsible for recommendation but only to highlight the system's failure of not providing an appropriate procedure for making such an assessment."

Sir, the hon. J.S. Verma was the Chief Architect of the 1993 Judgement. I would like to refer to him here. Shri Justice J. S. Verma, a former Chief Justice of India, who had written the lead judgment in the 2nd Judges' case, gave an interview to the Frontline Magazine published in its issue of October 10, 2008. When asked: "You said in one of your speeches that judicial appointments have

become judicial disappointments. Do you now regret your 1993 judgment?", Justice Verma responded: "My 1993 judgment, which holds the field, was very much misunderstood and misused. It was in that context I said the working of the judgment now for some time is raising serious questions, which cannot be called unreasonable. My judgment says the appointment process of High Court and Supreme Court Judges is basically a joint or participatory exercise between the executive and the judiciary, both taking part in it. Broadly, there are two distinct areas. One is the area of legal acumen of the candidates to adjudge their suitability and the other is their antecedents, not only the legal acumen." So far as the antecedent part is concerned, it is the work of the Executive to find out from the intelligence. It may be a collegium system at the High Court level; it may be a collegium system at the Supreme Court level; they are not positioned to collect the antecedent of the candidate. This is the problem. So, as far as the legal acumen is concerned, we know better than the judges whosoever is a good lawyer or a good judge required to be promoted to the Supreme Court from the High Court. We can adjudge as to who is a good lawyer.

From 1950 to 1993, all the good Judges were appointed, and they have rendered remarkable judgments, and those judgments are still cited and held the field.

So, according to the judgment, in the area of legal acumen, the Judiciary's opinion should be dominant, and in the area of antecedents, the Executive's opinion should be dominant.

Now, Sir, when we are talking about this, the reason is that it is a violation of the basic structure. When we are talking about the basic structure of the Constitution, in a democracy, there is separation of power. It is because separation of power between the Executive, Judiciary and the Parliament is the basic structure of the Constitution of India. Not only this, our Constitution



provides for checks and balances. When we use the term 'checks and balances', we can understand the word 'balance'. It means distribution of power. But at the same time, 'check' means accountability. What is the accountability of the Judiciary? ... (*Interruptions*) Towards whom is the Judiciary accountable? The accountability is not towards the Parliament; the accountability is not towards the people. It is very safe to say that the Judiciary is accountable to the Constitution of India. Who will judge it? So, that it is why, I said that even our hon. Law Minister is not accountable to the Parliament with respect to the appointment of the High Court and the Supreme Court Judges. So, as far as the appointment of subordinate judiciary is concerned, it is within the domain of the State Government.

A reference was made by Shri Shashi Tharoor that about 3 or 30 lakh cases are pending in the subordinate courts. It is the State Governments who appoint the Judges, it is the High Courts which appoint the Judges in subordinate courts. How is the Government of India responsible for this? The Government of India can provide the infrastructure. Since 2014, more than Rs. 6000 crore have been paid under CSS. The hon. Minister has recently made a public statement. Around Rs. 9,000 crore are being disbursed for the infrastructure. A large amount of it is disbursed by the Government of India, and the rest of it is by the State. So, the accountability is the major part. In view of this, we are having the balance but no check. The check comes only on account of accountability.

Sir, under the Constitution, we have read the service conditions. There are rules with respect to the payment of salary, payment of pension, and with respect to leave. All these are to be provided by the Parliament. As far as the appointment and the secured tenure of 62 years and 65 years are concerned, all these are the indicators of the independence of Judiciary. We have not seen any interference in the Judiciary these days by Parliament.

Sir, you see the other countries as far as appointment is concerned. Only if the Executive is appointee, can we say that democracy is not mature? If we see the United States of America, Canada, New Zealand, Australia, they are also democratic countries. In USA, in the States, the Judges are elected. Can we say that these are politicians? Can we say that the Judiciary is not independent there? ... (*Interruptions*).

[*Translation*]

**SHRI ARJUN RAM MEGHWAL:** Shashi Tharoor ji had said, he is answering to him...(*Interruptions*) You also believe this. You have also given example of America several times...(*Interruptions*)

**SHRI P.P.CHAUDHARY:** I was comparing Tharoor ji...(*Interruptions*)

[*English*]

I was saying, in a mature democracy like USA, so far as States are concerned, the Judges are elected. If they are not elected, then the legislative concurrence is required.

Insofar as the judges of the Supreme Court of America are concerned, the judges are nominated by the President of America. ... (*Interruptions*) Their confirmation is done by the Senate. So, this is the procedure. Nomination is done by the President of America and the confirmation is done by the Senate. This is purely done by the Executive and Legislature. But in India, we have a proper check and balance. That is why, we have used the word, 'consultation' by executive with CJ.

In Canada, the judges are appointed by the Governor-General. In Australia, the judges are appointed by the Executive. In New Zealand, the judges are appointed based on the recommendations of Prime Minister by the President. Thereafter, some more procedures are there like going through the Attorney-

General and all that. But it shows that merely because the judges were appointed by the Executive from 1950 to 1993, we cannot say that they were lacking in quality at that time. We cannot say that their judgements were not good. They were equally competent people.

Apart from this, regarding the accountability, I would refer to one more report. Even the Law Commission in its Eighty Fifth Report on Law's Delays: Arrears in Courts, has expressed the view – and these are very important – with respect to the accountability of the Ministry of Law.

“The Committee is aware that for this state of affairs, the Union Law Ministry is not blameworthy, as the entire process of initiation of proposal for appointment of new judges is no longer the responsibility of the Executive as a result of a decision of the Supreme Court. Though it was not contemplated in the Constitution, responsibility for judicial appointments now rests in the domain of the judiciary. The Union Law Minister is accountable to Parliament for the delay in filling up of the vacancies of judges but he has functionally no contribution to make. The Supreme Court read into the Constitution a power to appoint judges that was not conferred upon it by the text or the context. The underlying purpose of securing judicial independence was salutary but the method of acquiring for the Court the exclusive power to appoint judges by the process of judicial interpretation is open to question. Against this backdrop, the Committee recalls a recent discussion in the Rajya Sabha in which the Government was asked regarding alternate arrangements to fill up the vacancies and whether there was any scope for having a fresh review of the Supreme Court's judgment.”

Sir, I would also like to refer to the judgment of Justice J.S. Khehar. Justice J.S. Khehar has mentioned that since the Law Minister is on the Committee and because the Government is involved in so many litigations, the Law Minister of India being a member of NJAC Committee can affect the judicial independence. So, when the Law Minister is accountable to the Parliament, his presence should be very much there. I have already stated that how the recommendations sent by the Collegium was turned down by the Supreme Court.

Now, what is the way forward? ...*(Interruptions)* [*Translation*] Our time is two hours. Sir, please be seated ...*(Interruptions)*

*[English]*

**HON. CHAIRPERSON:** According to the strength, they are having more than two hours' time.

**SHRI P. P. CHAUDHARY:** Sir, my suggestion is three-fold. In the NJAC Judgement, the Supreme Court has pointed out only a small mistake. It is not said that the Parliament is not competent to legislate it. It is only with respect to the constitution of the Committee. The constitution of the Committee can be corrected and we can bring a new Bill, where the eminent persons from the categories such as Scheduled Castes, Scheduled Tribes, Other Backward Classes, minorities and women may be appointed on the Committee for a period of three years. ...*(Interruptions)*

**SHRI BHARTRUHARI MAHTAB:** Chairman, Sir, will the hon. Minister respond to the point the hon. Member is making? ...*(Interruptions)*

**SHRI P. P. CHAUDHARY:** Yes, and that is why I am making this request. My request is that we have to revisit the NJAC judgement and come out with a new Bill making the respective corrections.

When the Constitution of India was framed, Article 366, which was basically a definition clause, was there. It was there to provide various definitions. In my opinion, the word ‘consultation’, which appeared not only at one place but at many places with respect to the appointment and transfer of High Court and Supreme Court judges, like the Supreme Court is taking consultation from the Public Service Commission. Sir, at one place, with respect to the appointment and transfer of the judges, the word ‘consultation’ has been termed as “concurrence”. Even in Article 143, where the President of India is required to obtain the “opinion” while making the reference to the Supreme Court, whatever the opinions are rendered are not binding. So, by this analogy, it can be said that in view of the judgement of 1998, the third-judges case, the opinion rendered by the Supreme Court under Article 143 is also binding. Therefore, the word ‘consultation’ and the word ‘opinion’, both are required to be defined under Article 366. If these words are defined under Article 366, then, in my opinion, there is no need to bring in anything else except defining the word ‘consultation’ in five lines. Consultation does not mean “concurrence”.

We can also constitute a Commission and a period of six months’ time may be given. Complete hearing can be held. The hearing may be held by the retired judges as well as the lawyers, including all the stakeholders. The report may be obtained by the Government. But this issue is required to be settled because we are lacking the checks. Balance is there but the accountability is not there. Therefore, we have to again restore the original position under the Constitution.

Now, so far as appointment of the subordinate judiciary is concerned, this is within the domain of the State Government. The number of sanctioned posts is around 25,000. About less than 20,000 posts are filled up and about 5000 posts are lying vacant in the subordinate courts. That is the responsibility of the High Court and the respective State Government. It cannot be a responsibility of the Central Government.

So far as creating an All-India Judicial Service is concerned, initially its mention came in 1958 and, subsequently, in 1978, it came up again. A recommendation was made for creation of an All-India Judicial Service by the Standing Committee in 2006 and the directions were also issued by the Supreme Court in 1992. ...(*Interruptions*)

**SHRI KALYAN BANERJEE (SREERAMPUR):** The matter regarding All-India Judicial Service is pending before the Supreme Court. ...(*Interruptions*) I appeared in the Court with regard to this matter. I argued this matter. That is why I know about it. ...(*Interruptions*) Therefore, you cannot raise this point. ...(*Interruptions*)

**HON. CHAIRPERSON:** Mr. Chaudhary, you yourself are a senior advocate and the former Law Minister. You cannot make any comment with regard to a matter which is pending in a Court of Law.

...(*Interruptions*)

**SHRI P. P. CHAUDHARY:** Sir, I am not making any comment with regard to that. I am making my submission only. It makes no difference whether I refer it or not. ...(*Interruptions*)

**HON. CHAIRPERSON:** Please continue.

**SHRI P. P. CHAUDHARY:** I am not making any comment with respect to that. Stating the facts and making a comment on that, both are different things. I am making my submissions without any comments on that. ...(*Interruptions*)  
Mr. Tharoor has made a comment on that. ...(*Interruptions*)

My suggestion is, for that purpose, an exam can be conducted at all-India level and the candidates may be allotted to respective State at the most, and after examination, the High Court can interview them and they can make the appointment.

On All-India Judicial Service, some of the critics are saying that it may impeach the separation of power. But it is not doing so because in our federal setup, we are having a separate Executive. The federal system is there. We are having a separate Legislature. The federal system is there. But in the case of Judiciary, it may be Supreme Court, High Court or subordinate court. They all deal with the laws made by the State Legislatures. They all deal with the laws made by the Parliament. Therefore, we cannot say that so far as the Judiciary is concerned, it is federal. If the critics are saying that there should not be an All-India Judicial Service, it is ill-conceived and unfounded. We can go further for creating an All-India Judicial Service at par with Indian Administrative Service and Indian Police Service. Like that we can create it and we can have a pool of talented people and we can attract more talented people and those people can be further appointed in High Court and Supreme Court. They can help in better justice delivery system.

Finally, I would like to say that in article 312 the amendment was made for creating an All-India Judicial Service. Under articles 334 and 333 no amendment is required because when this amendment was made in article 312, only on the basis of the resolution moved before the Rajya Sabha by 2/3<sup>rd</sup> majority present and voting, creation of the All-India Services can be there.

There will be uniformity and unity by creating these services and it will help in reducing the arrears and we will have talented people. Quality judgement will be there. The time in dealing with the cases will also be reduced. These are some of my submissions with respect to the Bill.

I also request the hon. Minister to see whether the word ‘consultation’ can be defined. The word ‘consultation’ was not defined in the Constitution under article 366. I think this is the reason why the Supreme Court has taken over it, that is, since the word ‘consultation’ was not defined, if the Parliament can define it – the word ‘consultation’ is not concurrent – then the whole problem can be solved. Today, just like in the 2021 we have issued the clarification by way of explanation, the same thing can be done for defining the word ‘consultation’ under article 366. Sir, with these words, I support the Bill.

Thank you very much, Sir.

**SHRI DAYANIDHI MARAN (CHENNAI CENTRAL):** Vanakkam, Chairman Sir. Thank you, for giving me this opportunity. Unfortunately, I do not think I fall in the category of the great speakers because all lawyers are addressing this subject.

**SHRI BHARTRUHARI MAHTAB:** Also, a lawyer is presiding the House.

**SHRI DAYANIDHI MARAN:** Yes, a lawyer is presiding the House.

The Bill seeks to amend the High Court Judges (Salaries and Conditions of Service) Act, 1954 and the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958. The major contention here is whether the additional benefits mentioned in the Bill will apply from the first day on the completion of the 80<sup>th</sup> year. I think most of the Members understand why this Bill is being brought by the Government. There was confusion because additional quantum of pensions



and family pensions were given to the judges after their retirement. When they reach 80-85 years, 20 per cent additional pay of the basic pay was given as the family pension. Similarly, from 85-90 years, 30 per cent was given of the basic pay as the family pension. If they attained 90-95 years, 40 per cent was additionally given to them. From 95-100 years, it is 50 per cent. And by chance if anyone went to live on for 100 years, it is 100 per cent.

I think the Government has made a right choice because there is confusion between the courts. Two judgements were contradicting each other. One said that on the completion of 79<sup>th</sup> year, you should start it. Another judgement said that it should start at the beginning of the 80<sup>th</sup> year. The Government has come forward to iron out the differences and make it clear by saying that the first month after completing the year will be considered. I appreciate it. Sometimes, the Government does bring good Bills fortunately.

Winston Churchill once said, "The service rendered by judges demands the highest qualities of learning, training and character. These qualities are not to be measured in terms of money, but according to the quantity of work done. A form of life and conduct far more severe and restricted than that of ordinary people is required from judges and though unwritten, has been most strictly observed. They are at once privileged and restricted. They have to present a continuous aspect of dignity and conduct." After rendering such services to the nation, it is the duty of the State to ensure that a retired Judge who enters the autumn of his life is adequately looked after. I am glad the Government is doing that good thing. However, there are certain questions which arise in my mind. As I said, I am not an advocate. But as a common man I am asking this. The ruling party speaker has made such a long speech. Especially my good colleague, Mr. Chaudhary, spoke about the carrot and stick theory being worked here. The Government is ready to accept the demand of the Judges. At the same time, he spoke so much about appointment of judges, the way the Law Minister

is deprived, and the way the Law Minister does not have any power in the appointment of Judges. In fact, he went on to say that Supreme Court Judges are appointed by the President of United States in America. Was he hinting that a similar system is going to come in India? Is it a prelude to that? What the ruling Government is trying to do is that indirectly they are threatening the present judiciary system through us. It gives me a doubt. I am sure that you will answer this. Are you planning to bring a Bill? If you are going to bring a Bill, please do that. You are the most powerful party here. In the last seven and a half years, you have done whatever you wanted to do and the Opposition is a mere spectator because you have been road rolling us. Do you have the courage to now road roll the judiciary? I very much doubt it. There is already a lot of suspicion in the minds of the people, I am speaking like a common man, that you are influencing the judiciary. You are getting all in your favour. Please do not do that. Do not intervene and unnecessarily rock the judicial system in which people believe.

There is a demand that there has been a differentiation between the retirement age of Judges of the High Court and the Supreme Court. The same High Court Judge has to retire at 62 years of age, but if he is elevated to the Supreme Court, he can stay up to 65 years of age. Why can you not have a uniformity? You should do that. Please bring a law in this regard instead of threatening the Judges through your colleagues. All Judges should have the retirement age of 65 years. If you want to make it 67 years, please do it. We will welcome it. In the Parliament, we will be happy to do that.

There has always been a long standing demand from the advocates and also from the State Governments and it is this. They are asking for a permanent regional bench in the Southern region. This has been the demand from the DMK for a very long time. Geographically, every lawyer situated in Delhi has got an access to the Supreme Court, whereas the lawyers who are born in other corners

of the country do not get a chance. This is not equality. If I am a litigant, I have to employ a lawyer far away from the region I reside. Since you have a brutal majority and if you want to do something good, I think we should look at this aspect, but by not threatening them.

There has been a demand from my party and I think from all the parties that there is no social diversity in the appointment of Judges. There is also no equal women representation in the appointment of Judges. Since 71 years, we are having the system. There is not even a single Scheduled Tribe who has been appointed as a Supreme Court Judge. Only five people are there from the Scheduled Caste community as Supreme Court Judges. I am not trying to go against any community, but only one community seems to be dominating the whole judicial system in the entire country. This has to change. I am not asking for social justice, but this has to change. Everyone should feel that they are part of the system.

When we have the utmost faith in our judicial system, the recent happenings of the ruling party, as I said earlier, has created a lot of suspicion. There should be a cooling off period. Judgements come in favour of the Governments, and then we find those Judges are elevated. No, one of them was demoted as a Governor! We have never seen that. Similarly, again, a former Supreme Court Judge is being demoted as a Rajya Sabha Member. I see an elevation! Sorry, it is former Chief Justice. I correct myself. In both the cases, it is the former Chief Justices who have been demoted. What does it mean? We see something hanky panky happening. That is what a common man will feel. Since we are not quoting anything, so you cannot jump on me. ... (*Interruptions*). An act of any Justice Department or the Government should be pure, or should look pure to the common man. When this happens, I ask a basic question and which is this. Today you have the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021. These two instances which were

created by your Government where a former Chief Justice has become a Governor and a former Chief Justice has become a Rajya Sabha Member, I want to ask from which service will they be getting the pension? Will they be getting Judge's pension or will they be getting the Governor's pension or will they be getting the Rajya Sabha pension? You should bring a clarity about it.

We, in India, have got utmost faith in the judicial system. I only request the Government that with your brute majority, please do not derail it.

With these words, I conclude my speech.

**SHRI KALYAN BANERJEE:** I rise to support the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021. Independence of judiciary is indispensable in a democratic system of governance. The general contention is that in any democratic county, the judicial system should be completely free from any sort of pressure or pull, both internal and external. It may so happen that the Government might abuse the political power that has been conferred upon it. An independent judiciary is required to maintain the balance between the interests of individuals and society.

Justice delayed, often said, is justice denied. In India though, justice is often indefinitely kept pending. The result is that there are 4.5 crore pending cases across all courts in India as on September 15, 2021. In fact, in 2019, there were 3.3 crore pending cases, which means that in the last two years, India has added 23 cases every minute to its pendency list. The details of cases pending in Supreme Court of India during the last three years are given below. In 2018, the pending cases in Supreme Court are 57,346; In 2019, the pending cases are 59,859; In 2020, the pending cases are 63,146, and as on 8<sup>th</sup> November, 2021, the pending cases are 70,038. The Five Judges' Bench matters which are pending before the Supreme Court are 272. The Seven Judges' Bench matters which are pending before the Supreme Court are 15. The Nine Judges' Bench matters which are pending before the Supreme Court are 135. Independence of judiciary and rule of law are the basic feature of the Constitution and cannot be abrogated even by the constitutional amendments as observed by the Supreme Court in S.P. Gupta's case. All laws in India derive their authority from the Constitution of India. All powers of the State and its organs are contained in it and must be exercised within the limits set out by the Constitution which specifically directs the State to separate the judiciary from the executive in the public service.

The judiciary has a single pyramidal structure with the lower courts at the bottom, High Courts in the middle, and the Supreme Court at the top. Today, our justice delivery system is facing multiple challenges. Two of them are stark and need immediate attention, namely, appointment of Judges and managing the humongous number of pending cases.

Today, the website of the Department of Justice tells us that the sanctioned strength of High Court Judges is 1,098 and vacancies are 402 as on 01 December, 2021. The sanctioned and working strength of Judicial Officers in the District and Subordinate Courts has also increased. As on 31 December, 2013, the sanctioned strength was 19,518 and working strength was 15,115. As on 28 January, 2021, the sanctioned strength was 24,485, and working strength was 19,294.

Pendency problem is a long-standing issue across the Indian judiciary. At present, the High Court lists 5.8 million pending cases. Mr. Chaudhary was telling that all cases are pending because of lower judiciary. In the Rajasthan High Court more than five lakh cases are pending. ... (*Interruptions*) I am telling this to you since you were mentioning it. ... (*Interruptions*) Mr. Chaudhary, I am coming to it. I will also mention what you have done. ... (*Interruptions*) You are also an ex-Law Minister and we know what has happened. Do not pass such comments.

The average rate of disposal between 2015 and 2019 was about 1.8 million cases per year. In most years, the number of cases disposed of is lower than the number of cases instituted. So, the problem keeps getting worse. In High Court, 41 per cent cases have been pending for five years or longer. In Subordinate Courts, nearly one in every four cases has been pending for at least five years.

I would like to mention some figures. The pending cases up to one year is 12,942,921; pending cases between one year and three years is 9,738,411; pending cases between three years and five years is 52,000,056; and pending cases between five years and ten years is 5,081,864. Kindly see and imagine the situation. I have all the figures with me. The cases filed by senior citizens pending is 2,225,587; and the cases filed by women pending is 3,163,776. This implies that if no new cases were to be filed, then the time taken by courts to dispose of all the pending cases at the current disposal rate would be 1.3 years.

Just one month back, Justice Sanjay Kishan Kaul -- while taking up a matter of criminal appeal arising out of Allahabad -- observed or commented that if no criminal appeals are filed in the Allahabad High Court, disposal of the pending criminal appeals will take 32 years. Therefore, where do we stand?

In two decades since Fast Track Courts were first setup, pending cases in both Subordinate Courts as well as these Fast Track Courts have continued to increase. As on date, over 9.2 lakh cases are pending in 842 Fast Track Courts across 28 States. What has happened to Fast Track Courts? What is their disposal rate?

### **17.00 hrs**

Pendency of cases for long periods has resulted in large number of undertrials in India's prisons. As on January 31, 2019, almost 4.8 lakh prisoners were confined in Indian jails. Of this, over two-thirds were undertrials; 5,011 undertrials were confined in jails for five years or longer. In Uttar Pradesh, the figure was 2,124; and in Maharashtra, 394. This accounted for over half of such undertrials. This is the situation in the backdrop of huge backlog of cases.

As on 1<sup>st</sup> December, 2021, the Supreme Court had one vacancy, out of the sanctioned strength of 34 Judges. In the High Courts, 37 per cent of the total sanctioned posts of Judges are vacant. Out of the total 402 vacancies in the High

Courts, majority of the vacancies are in Kolkata, 32 out of the sanctioned strength of 72; in Telangana, 23 out of the sanctioned strength of 42; in Patna, 27 out of the sanctioned strength of 53; in Rajasthan, 22 out of the sanctioned strength of 50; in Delhi, 30 out of the sanctioned strength of 60; in Andhra Pradesh, 19 out of the sanctioned strength of 37. Figures are more. In Allahabad also, the vacancies are more than 50 per cent.

Clearly, the Judiciary is failing in keeping the promise of speedy trial; with the result, things have come to such a pass. For several decades now, the courts have never been able to function with full strength resulting in huge vacancies of Judges against the sanctioned strength of 24,419 Judges in district and other courts.

Mr. Chaudhary has referred to the Supreme Court Judges case – the first case, the second case and the third case. Thank you, Mr. Chaudhary. But you have not referred to a case. I am sorry. I expected that you would refer to a Three-Judges Bench case consisting of the hon. Chief Justice, Shri Bobde, hon. Justice J Sanjay Kishan Kaul and hon. Justice Surya Kant. This matter has been disposed of. Its first paragraph says: “The High Courts are in a crisis situation. There are almost 40 per cent vacancies in the High Courts, with many of the larger High Courts working under 50 per cent of their sanctioned strength”.

I will come straight away to paragraph 11, which is more interesting. You will be surprised to hear. After stating it, I will make my statement on it. Paragraph 11 says: In the context of the aforesaid and in order to facilitate timely appointment, we are of the view that it would be advisable to follow the following timelines, in addition to the aforesaid.

Firstly, the Intelligence Bureau (IB) should submit its reports or inputs within four to six weeks from the date of recommendation of the High Court Collegium, to the Central Government. Secondly, it would be “desirable” that



the Central Government forward the files or recommendations to the Supreme Court within eight to 12 weeks from the date of receipt of views from the State Government and the report or the inputs from the IB. Thirdly, it would then be for the Government thereafter to see to make the appointment immediately on the aforesaid consideration, and undoubtedly, if the Government has any reservations on suitability or in public interest, within the same period of time, it may be sent back to the Supreme Court.

**17.04 hrs**

(Shri N. K. Premachandran *in the Chair*)

Importantly, the last one is, if the Supreme Court Collegium, after consideration of the aforesaid inputs, still reiterates the recommendation unanimously, such appointment should be processed and the appointment should be made within three to four weeks. ... (*Interruptions*) I have got another learned lawyer, he is a very nice man, and he is very kind to me also. ... (*Interruptions*) The Supreme Court has categorically stated that – while reiterating the cases – it has to be implemented within three to four weeks.

Sir, in Calcutta High Court, Shri Joytosh Majumdar's case was recommended on 24<sup>th</sup> July, 2019, and was reiterated on 1<sup>st</sup> September, 2021. The hon. Supreme Court's order has not been implemented. Shri Amitesh Banerjee was first recommended on 24<sup>th</sup> July, 2019, and the recommendation was reiterated on 1<sup>st</sup> September, 2021. Shri Raja Basu Chowdhury was first recommended on 24<sup>th</sup> July, 2019, and the recommendation was reiterated on 1<sup>st</sup> September, 2021. Shrimati Lopita Banerjee was first recommended on 24<sup>th</sup> July, 2019, and the recommendation was reiterated on 1<sup>st</sup> September, 2021. Shri Shankar Sen was first recommended on 24<sup>th</sup> July, 2019, and the recommendation was reiterated on 8<sup>th</sup> October, 2021. Nothing has been done. If a lawyer is recommended by the Collegium and that lawyer belongs to the Bharatiya Janata Party, directly or indirectly, his case cleared at a rocket speed.

I am not questioning the suitability of the lawyers. I am questioning the discriminatory attitude of the Central Government. In the States, different political parties are there. In 2019, when the name of the Additional Solicitor General came, they gave the appointment immediately. But in the case of others, since others are the State Government lawyers, that has not been done. I am again saying that I am not questioning the competency of the judges. One of the judges, I am not going to take his name, was associated with the Andaman & Nicobar Islands Administration. He was doing the cases there. His case was recommended on 1<sup>st</sup> September, 2021, and it was cleared by the Central Government on 16<sup>th</sup> November, 2021. He is directly associated with the Administration of the Andaman & Nicobar Islands. It is not only in our case. In fact, for the Jammu & Kashmir High Court, two persons' names have been reiterated twice but their case has not been cleared. For the Karnataka High Court, two persons' names were recommended and reiterated but their case has not been cleared. For the Allahabad High Court, two persons' names were recommended but their case has also not been cleared. For the Calcutta High Court, two women judges, Shrimati Ananya Bandyopadhyay and Shrimati Rai Chattopadhyay, were recommended and the recommendations were reiterated on 11<sup>th</sup> November, 2021, and another gentleman, Shri Subhendu Samanta, is also there. The hon. Chief Justice says that we want more women judges in the judiciary. See, I have given three names of the women lawyers whose names have been recommended but their cases have not been cleared.

Now, I want to ask, is this not a clear violation of the Supreme Court's order? Is the Central Government not violating the order of the Supreme Court which I have referred to in the judgment delivered by the Chief Justice Bobde? Does it not come within the ambit of Article 215 of the Constitution of India? Under Article 144 of the Constitution of India, all authorities, civil and judicial, in the territory of India, shall act in aid of the Supreme Court. Is the Central

Government doing that? Is the Central Government not violating Article 144? Is the Central Government not creating discrimination? Is the Central Government not violating the rights protected under Article 14 of the Constitution which speaks about 'equality before law? That is a total violation. Mr. Tharoor quoted it but I am quoting again.

The constitutional authorities, in flagrant violation of Constitutional laws, in flagrant violation of statutes, in flagrant violation of all norms, do not make these appointments. They do not appoint any person whose face is not liked by them. Only those people whom they like are being appointed.

Sir, Dr. Ambedkar said, "However good a Constitution may be, if those who are implementing it are not good, it will prove to be bad. However, bad a Constitution may be, if those implementing it are good, it will prove to be good." If people are not implementing the Constitution with the right intent, the best Constitution is rendered waste and the most valueless Constitution can be made good if it is implemented with good intentions and objectives. Dr. Ambedkar's views have been thrown into river Yamuna here and into river Ganga in our State.

I am not blaming the Central Government also. The hon. Minister had given an answer to my question, which I got yesterday. There are pending cases that the High Courts are not sending, the collegium is not sending. Sir, the work of the collegium is administrative in nature, as you know, and I have a right to criticise any administrative act. In terms of the judgment of Chief Justice Bobde, the collegium is required to initiate the process of filling up of vacancies six months prior to the retirement of a judge or occurrence of a vacancy. What are the collegiums, the High Courts doing? What steps have they taken? They are also answerable. It is not that they are not answerable. On the administrative acts of any High Court, the administrative acts of the Supreme Court, you are

answerable to the Parliament also. It is not that they are not answerable. Why are they not acting in time? If a government officer does not act, the Supreme Court and the High Courts will thrash them like anything. They send them to the jail. But if the collegium does not act, what would happen? Is it not a mockery of justice now? Is it not a mockery of procedures? Everyone is responsible for this. ... *(Interruptions)* I know, the hon. Minister will state in his reply how many appointments have been made. He will say that eight Supreme Court judges have been appointed. But he will never say to the House how many cases have occurred in the last three years from 2014 to 2019 including in the regime of Mr. Chaudhary.

**SHRI P. P. CHAUDHARY:** Kalyan ji, let me set the record right. Between 2016 to July 2019, 400 judges were appointed to the Supreme Court and High Courts.

**SHRI KALYAN BANERJEE:** That is right. But you are not stating the number of vacancies.

*[Translation]*

**SHRI PRAHALAD SINGH PATEL:** You are referring to the earlier record. ...*(Interruptions)* If you are quoting Chaudhary Ji, please listen to him...*(Interruptions)* This is not the right way. If you are quoting his name, atleast listen to him.

*[English]*

**SHRI P. P. CHAUDHARY:** Kalyan ji, it depends upon the recommendation made by the High Court. You just give the facts about how many High Courts have made the recommendations. Vacancies are there in various High Courts. ... *(Interruptions)*

**SHRI KALYAN BANERJEE:** I can give the figures which have been given to me, yesterday. My answer is 'yes'. I can give the figures. Therefore, how many vacancies have occurred? It is not my job to find out the vacancies; it is your job to find out. My job is to point out that the vacancies are not filled up. It is your job. You must work it out. You have got a very good supporter, Mr. Chaudhary.... (*Interruptions*)

*[Translation]*

**DR. NISHIKANT DUBEY:** Please point out what is written in the collegiums...(*Interruptions*) A person from the Parliament is in collegium...(*Interruptions*)

**SHRI KALYAN BANERJEE:** Yes, please do that ...(*Interruptions*)  
*[English]* Mr. Dubey, you possibly do not know my background. That is the reason you are saying so. ... (*Interruptions*)

**DR. NISHIKANT DUBEY:** I know. *[Translation]* I know that...(*Interruptions*)

*[English]*

**SHRI KALYAN BANERJEE:** My offer came in 1994. On record, I am telling it to you. Had I accepted it, I would have been CJI for nearly three years. Keep it in your mind and then pass comments. ...(*Interruptions*) Yes, I have not gone there; I have chosen these pathways. ...(*Interruptions*) What is this? I have not disturbed you like this. ...(*Interruptions*)

**HON. CHAIRPERSON:** Nishikant *ji*, Chaudhary *ji*, please do not crosstalk. This is not good.

... (*Interruptions*)

**HON. CHAIRPERSON:** If the Member is yielding, I have no problem.

... (*Interruptions*)

**SHRI KALYAN BANERJEE:** I have not disturbed you even for a single moment. I have a request, today. ... (*Interruptions*)

**HON. CHAIRPERSON:** If the Member is yielding, you can speak. Otherwise, please do not interrupt.

**SHRI KALYAN BANERJEE:** Sir, in 2018, when Chief Justice of India Dipak Misra was there, four Judges went to the Press. They criticised this and said democracy has gone. There is no Supreme Court over the Supreme Court. If that is there, I do not know what would have been the fate in their cases. On the contrary, the first man who spoke became CJI later on. Later on, we have seen him in the Rajya Sabha. But with a very painful heart, I am telling – I have also completed 41 years of practice – that the way Chief Justice Sanjib Banerjee has been transferred from Madras High Court to Meghalaya is not acceptable. This is not acceptable. I know, you have not done it. Mr. Rijiju, I know, you have not done it. You have just implemented it. But it has been done by the Collegium. Why? He has criticised the Election Commission of India only. Then, if he has criticised the Commission, why did the Central Government not come forward for impeachment of those four Judges who criticised the Central Government, who said that there is no democracy in the country?

**PROF. SOUGATA RAY (DUM DUM):** Very right. ... (*Interruptions*)

**SHRI KALYAN BANERJEE:** Sir, I am telling you that Justice Sanjib Banerjee is losing nothing. Kindly allow me to speak. He is not losing anything; he will remain. But I think – I have seen him coming out with remarks on so many matters against our State Governments – he is a Judge who

is very straight-cut, a Judge who is really an erudite Judge. If we consider today about the last great Judge of the Supreme Court, that is Justice Nariman, he was not only a great Judge of this country, but a jurist of the country. I can tell you that amongst all the Judges of the High Courts of India, Chief Justice Sanjib Banerjee is the best Judge. But he has been transferred to Meghalaya. I would request from this Parliament, through you, to the Collegium to reconsider it. Justice Sanjib Banerjee is not losing anything. But you are really wasting a property of the nation. It is a property of the nation. It has been done; it is very shocking. I would request that these things have to be done.

I will end my speech with a request to the Central Government, please do not continue with the contempt of court. Do not violate the court orders. If you violate the court orders, what will be the consequences? You may not like the face of a particular person. You may not like a State Government. *[Translation]* You have said that this time, we will cross two hundred. That didn't happen. You should accept that. Nothing will happen by criticizing. Mamta ji has shown that she is ready to deal with anything. *[English]* Good days are coming. *[Translation]* We will deal with that.

*[English]*

I have forgotten to tell one important point. Shri Tharoor was talking about the enhancement of the retirement age of judges, and that a Bill should be brought in the House in this regard. In 2012, possibly you were not a Member at that time, UPA-2 had introduced a Bill to increase the retirement age of the high court judges from 62 to 65 years and from 65 to 67 years of the Supreme Court judges, but it was not discussed. I do not think there is any requirement to increase the retirement age of the judges.

The Constitution says that 10 years of practice is sufficient enough to be a judge. Now, the collegium, in its own wisdom, has said that one cannot qualify

to be a judge unless he is 45 years of age. They have developed their own mechanism. As a result of this, the good lawyers are being deprived of becoming judges and the country is being deprived of getting good judges. What will happen if they are between the age of 40 and 41 years? You know Justice D.Y. Chandrachud. He became a judge at the age of 41. What a great judge he is! The Chief Justice of Bombay High Court, Shri Dipankar Datta who was appointed as judge at the age of 41 years is doing a great job. Therefore, through you, Sir, I would request the collegium not to insist on the age of 45 years. They should be flexible. If they can get good lawyers, let us say at the age of 39 years, they should be elevated to the post of judge. Chief Justice Altamas Kabir became a judge at the age of 38 years. Since a number of comments have been made against me, I would like to tell the House that I got this offer at the age of 37 years.

Sir, I am grateful to you for having given me a chance to speak. Both you and your predecessor have given me a chance to speak. Whatever agony, pain or grievances were there in my mind, not only as a lawyer, as a Member of Parliament, but also as a citizen of India, I have expressed them before you. I have expressed my anguish. I have expressed my pain. I have expressed my sorrow with respect to this matter.

With this, I would like to convey my heartiest thanks to you. I convey my regards to you for giving me a chance to speak on this subject.

**HON. CHAIRPERSON:** Thank you very much Shri Kalyan Banerjee. He has got special permission from the hon. Speaker to speak for half-an-hour, and he has completed it within that time.

Next speaker is Shri Arvind Sawant.

... (*Interruptions*)



**HON. CHAIRPERSON:** Arvind Ji, you are interested in talking with other Members.

... (*Interruptions*)

*[Translation]*

**SHRI ARVIND SAWANT (MUMBAI SOUTH):** Hon. Chairperson, I rise to express my views on the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021. Everyone spoke in English but I will speak in Hindi. I think, it is the language of the country and it is the language for communication.

When the poor man goes to the court, he has to speak in the language of that State in the court. You were saying that we should make judicial service. What will happen in the Judicial Service? If someone wants to work in the Judicial Service in Chennai, then he or she should know Tamil. If he will get selected from here and he or she is not able to speak Tamil, what will he do? We have to think about this too. I am just thinking. I am not saying anything else.

As far as pension is concerned, I welcome it. I want to speak about two or three subjects like teachers, professors, and judiciary. The decision regarding their salary, service conditions and pension should be taken as soon as possible. If the teacher is unhappy, then a new generation will not be formed. When this bill came, I welcomed the enthusiasm you have shown here, but if you show the same enthusiasm for the EPF pension, then the whole country will give you blessings. I want to say to the Government that the enthusiasm they have shown to increase the pension after the completion of 80 years should also be shown for this too. We got tired of talking about EPF pension, the same way it should be there too.

Everyone has talked about the data I have but I don't know how many people have understood it in English. Today, there are 4.60 crore cases pending in the country and 5545 posts are vacant in the courts. In that case, how will we get justice in such a situation? That is the first thing to consider. When we are

talking about salary hikes and pensions, who will talk about justice? Is there justice today?

Everyone has just mentioned the most respected Bharat Ratna Babasaheb Ambedkar ji. *[English]* There was also a mention about: 'Justice Delayed is Justice Denied'*[Translation]* and also said that the constitution is good if it is used properly. If the constitution is bad but it is in the hands of good people and they are using it properly, the constitution is good. I remember one thing, he had said - if the constitution is used by the wrong people and it causes consequences, then I would burn the constitution. He had said this. We know that, there are cases currently pending in the courts. There are 70,038 cases pending in the Supreme Court. There are 58,79,285 cases pending in the High Courts and 4,94,04,405 cases in the Lower Courts. After seeing all this it seems that there are so many cases pending that it will take forever to be over. What will the poor do? How will the poor get justice? This is the first thing to consider.

Today, Banerjee Sahib ji and Shashi Tharoor ji has talked about some things. Chaudhary Sahib gave examples from foreign countries. Where is my country when all the examples come to the fore? If anyone asks me, I think that my country is the best. As far as collegium is concerned, there was some confusion for a few years and then, the collegium came again. There is no time restriction on it. It is because of this that our posts remain vacant. Whenever the post becomes vacant, if someone is in Government Service, he can be sent on deputation. *[English]* We either deploy or depute. We are doing either of the things. But we are not doing either of the things here. *[Translation]* That's why there should have been a waiting list. The collegium has a waiting list, *[English]* stating the list of Judges who can be appointed as the Judges in the hon. High Courts and hon. Supreme Court and who desire to go for that. Let them take exams or the interviews. Let them take it.

*[Translation]*

But, do we get justice? Unfortunately, we have border issue with Borgaon, Karwar, Nipani, Bhalki, Bidar of Maharashtra. It has been described in the Constitution that new States will be created on the basis of the languages but Maharashtra had to fight for it. 106 people lost their lives for it. On 26 Jan 1950, Hon. Ambedkar ji handed over the Constitution and after in 1960 Maharashtra was created. It was made after struggle but even today some States are out of it. The Supreme Court also does not do justice in this matter. Why it happens? Was any struggle or movement was done on the roads? Such type of movement was not done but it was done according to the Constitution. We approached the Supreme Court also. Our case is pending for so many years. Nobody notices this in the House. You must say something, be it yes or no. Will you not say anything? Will you sit quiet? The Government of ruling party in states, gets the permission for whatever they want to do. Constituency assembly was made. Belgaum was made sub-capital. In Maharashtra, it took years to change the name from Bombay to Mumbai. But, Belgaum was changed to Belagavi in quick time. Such discrimination shows here. I am also talking about the discrimination which everybody is talking. If there is law for everybody, then why this discrimination happens? Why the discrimination was done in changing the name of Bombay to Mumbai. Why we still write the spelling of Dilli as Delhi? Whereas we say it Dilli. We say it, I have come to Dilli. We have continued with the mistakes of the Englishmen. Why we cannot correct them? We have inherited these rituals from them. We are not able to get rid of them. We could not get that justice. You would have seen that recently a new condition has developed. In Maharashtra, a different Government was formed. With the formation of the Government, we are feeling the Judiciary from the last two years, especially the big agencies of country, of which our country is proud, be it CBI, ED, Narcotics or Income Tax. These all agencies are sitting here. These

agencies have judiciary powers. ED can put anyone inside the cell on its will. Who will ask it? Where is justice? Where is the justice for the man, who is kept for 40 days in cell? On hearing the case, the Court said that the case has no substance, then why the man was put in cell for 40 days? What action is going to be taken against the person who was kept inside? He did not have any proof but still kept him inside. This is vindictiveness which causes the loss of belief on the Judiciary. This is very serious for me that the day Judiciary will lose faith in the country. Our democracy is going to be hit. *[English]* We have Parliament which is called Legislature. We have Executive. And then we say Judiciary. Fourth is the Press. *[Translation]* These are the four pillars of the Democracy. Today you can say confidently that the four pillars are intact. Whethre the Parliament is functioning with the power vested in it? *[English]* 'His Master's Voice' are there in Executives. His master's Voice are there in Judiciary too. That is what is really offending. *[Translation]* Many people are fearing. Who is appointed? If you will discuss on it then you will say that these are their affiliated people. You consider any area, be it any Board's Chairman or anyone else. *[English]* They are affiliated to same thinking. *[Translation]* The people who are connected to a thought are getting appointed; other people do not get appointed. It is not in the interest of the Government that the doubts creep up in the people's mind. *[English]* Underline these words- Sabka Sath, Sabka Vikash aur Sabka Vishwas. Are you getting that? *[Translation]* It is not happening? As one Commissioner of Police is absconding. Now this is very serious that the person who made accusations is himself has disappeared. Then he appears in Supreme Court. After presenting himself in the Supreme Court, Supreme Court says that *[English]* Do not arrest him. He is above the law. This is the judgment of the Supreme Court. These are the directives of the Supreme Court. Again, the date has been enhanced. *[Translation]* They know that he has done some wrong and he will be caught. Then Supreme Court says that do not arrest him till 11 January. Who is he? *[English]* Who is guiding the Supreme Court? Is it an independent body?

There lies discrimination and doubt about the function of the Supreme Court and the Courts of the country?

*[Translation]*

Therefore, I have talked about some institutions about their limits and about delayed justice. I am talking about a very serious topics as other have also said same thing. By the way I have seen it before as I used to work in some trade union. If the Chairman of a public sector company retires, *[English]* he should not join the company which is against the interest of the old company where he was working. But it did not so happen. *[Translation]* These officers left the BSNL and joined the competing company to the BSNL. Should there be cooling period or not?

*[English]*

The same thing should be made applicable to the judges of the Supreme Court too. *[Translation]* I feel devaluation as.....\* the former Chief Justice of Supreme Court becomes Rajya Sabha Member. When he was asked in a matter, he himself said here if he will go to the Supreme Court then he said that he will not get the justice there. *[English]* It is his statement. The Chief Justice of India, after his retirement and being nominated to the Rajya Sabha, says, I do not have faith in the Supreme Court that they will deliver justice to me. That means he has experienced something else. He may not himself have delivered justice. There lies the issue.

*[Translation]*

Therefore, I feel that this matter should be taken seriously. You see the Election Commission. Now empirical data is being talked about. Yesterday also Supreme Court said bring empirical data, then OBC reservation will be made.

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\* Not recorded.

Empirical data is nowhere now. Nishikant Ji, when we were in power, we experience it then and we are experiencing it now also.

Hon. Speaker, how many cases of Election Commission comes to the Court? False caste certificate, incorrect information, more expenditure, *[English]* it has been stated by the Returning Officer himself that this man Shri Arvind Sawant has crossed the limit of the expenditure and he should be expelled.

*[Translation]*

You will not believe that Election Commission does not take decision even after their directives. All the claims of false caste certificate go to the Supreme Court. Then Supreme Court gives date after date. Let the fiveyear pass, if it is Rajya Sabha then let six years pass and then no body removes you. Then where is justice? Therefore, I say that the bill you have brought. My point is that justice should be delivered.

I recollect the Chatrapati Shivaji Maharaj Ji's time. In our Maharashtra, Ramshastri Prabhune Ji's name is taken. What happened in our Maharashtra? There is Legislative Assembly. The Government has the right as 12 Members are nominated in Rajya Sabha, then who does it? The Central Government recommends it and Your Excellency President sanction it by signing. Is there any limit as to how many days or months or years can be taken? Our Maharashtra State Government has recommended 12 nominated members in last 8-10 months. Today, it is going to be one year but till date no appointment has been made. Is it not an insult to the Constitution? ...*(Interruption)* Therefore, I request to you.

Pending cases data have been given here. Many people have talked about data. Therefore, I am not repeating it. Have you visited Labour Court? Now you will say that this is a matter of State. It is all right that it is a matter of State. The subjects under High Court are the subjects of

State. If the State Government does not appoint them, is it not the responsibility of the Central Government? 'Sabka Saath, Sabka Vikas, Sabka Vishvas', we have to provide them to justice, but they are not getting access to justice. Judges are not being appointed in the courts. Even in the Supreme Court, 403 seats of judges are vacant. I request you.

I support this Bill, but I request you to express the same level of concern for EPF pension too. Later on, there will be new recruitments in the Parliament too, but since the year 2004, there are no pension benefits for the newly appointed government employee. Sir, the hon. Supreme Court had delivered verdict in this regard but even today, that decision is not being implemented. Your focus should be on justice. I support this Bill, but I also want to say that if you show this sentiment for other things as well, it will be good for the Government and the public.



*[English]*

**SHRIMATI VANGA GEETHA VISWANATH (KAKINADA):** Sir, at the outset, I appreciate the efforts of the Government to improve the salaries and conditions of service for judges of the higher judiciary.

A salary hike for those sitting at the helm of our justice delivery system is a welcome move and I support it. At the same time, we must also reflect on the reforms that our judiciary needs urgently.

In this regard, on behalf of YSRCP, I have a few suggestions to make. Many issues are mentioned by hon. Members regarding collegium and pending cases at all levels in courts. I will not touch those points but as a representative of the people, as a woman and as a lawyer, I will make some suggestions.

Regarding under representation of women in higher judiciary, currently the Supreme has just four women judges whereas the High Courts have about 81 women judges. Five High Courts have no women judges at all. Overall, the representation of women in the Supreme court and High Court is just nine per cent and eleven per cent respectively.

Given the fact that women constitute 50 per cent of our population, there is a need to provide women with equal representation in the benches of our judiciary.

Sir, as regards providing recognition to weaker sections and minorities in the higher judiciary, apart from lack of gender diversity, a glaring lack of special diversity is also persisting. During the period 1950 and 1990, close to 50 per cent of the judges of the Supreme Court were from forward castes. The total number of SCs and STs in the Supreme Court never crossed ten per cent in this period. The situation has not improved much since then.

It is shocking to know that since the formation of Supreme Court, there have been only five judges belonging to Scheduled Castes and only one judge belonging to Scheduled Tribes. The situation is no better in the High Courts. As per the report of the National Commission for Scheduled Castes of 2016, in 2011, there were only 24 judges belonging to SCs/STs against a total of 850 judges in all the High Courts. Fourteen out of these High Courts did not have a single judge belonging to SCs/STs.

I urge upon the Government to take necessary steps to promote higher representation of women and minority groups in our higher judiciary by introducing appropriate reservation policy.

I request the Government of India on the need for National Judicial Appointments Commission (NJAC). Several hon. Members quoted many cases. I will not quote them again but I would like to quote what late Shri Arun Jaitley had said. He said that democracy cannot be a tyranny of the unelected which means that reforms are needed in the judiciary so that judicial procedure does not become a punishment.

There have been reports that suggest that around 50 per cent of the judges of High Courts and 33 per cent judges in the Supreme Court are family members of those in higher echelons of the judiciary.

There is a strong need to replace the collegium system with a system similar to the National Judicial Appointments Commission whereby members outside the judiciary are also included in the process of making judicial appointments. This will ensure greater transparency and diversity in the selection process.

Sir, establishment of regional benches of the Supreme Court is urgently required. Hon. Chairman, Sir, establishment of regional benches of Supreme Court is required. To ensure that the Supreme Court is accessible to persons

from all corners of the country, it is important that its unitary character be decentralised through the establishment of permanent regional benches.

The regional benches can handle the appellate matters whereas the main bench can handle the constitutional matters, thereby leading to the better division of functions and higher productivity of the apex Court.

Sir, this proposal has time and again been echoed by the Law Commission of India as well as by the Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice. Hence, I urge the Government to consider establishing four permanent regional benches of the Supreme Court (East, West, North and South), which will make justice delivery faster and more efficient.

Sir, finally, I request the Government to consider the need for All India Judicial Services. Our subordinate judiciary suffers from many defects including inefficiency, structural issues, such as, varying pay across the States, pending vacancies and lack of standard training across the States. To remedy this, constant demands have been made for the establishment of an All India Judicial Service along the lines of the Central Civil Services.

The centralised recruitment of judges at the level of district judges in all the States has been proposed by the Law Commission and the Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice.

I urge upon the Government to take necessary steps for setting up the All India Judicial Service, which will ensure uniformity in the functioning of the lower judiciary across the States.

With these suggestions, I conclude. Thank you so much.

*[Translation]*

**SHRI MAHABALI SINGH (KARAKAT):** Sir, the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill has been introduced in the House, definitely, the salary of judges should be according to the age and period of service and their families should also be entitled to pension after their retirement or death. But one thing we must be kept in mind because we see that magistrate or judge tend to join some institution after retirement, and they are reinstated in some or the other post. The way hon. Members of Parliament and hon. Members of Legislative Assembly get pension even after losing the election and if they join any institution, then they are not entitled to pension. In the same way, if a judge gets salary from any institution, anywhere, he should also not be entitled to pension. We should consider this too.

The hon. Members who have discussed in the House now, every hon. Member has definitely made remarks about the collegium system of the hon. Supreme Court and the High Court in some way or the other. The collegium system has been questioned by various social organizations, political organizations, and retired judges of the High Court and the hon. Supreme Court in the country. We have seen this. This collegium system is certainly not constitutional, nor it is an Act passed by the Parliament. It is an institution of the Supreme Court. Who is responsible for it? Today all the hon. Members have said that there are lakhs of cases which are pending due to shortage of judges in the High Courts, hon. Supreme Court, and in lower courts. After all, who is responsible for it? There are people who have completed their sentence and are on the verge of dying, but there is no one to rescue them from prison. They are locked up in prison and cases are pending for 15-20 years.

Sir, I mean to say that sometimes the Supreme Court says that the Central and the State Governments are not making appointments of judges due to laxity,

and sometimes the Central Government says that it is the right of the hon. Supreme Court under the collegium system. We do not know who is responsible for it. It is like that both are blaming each other. When there are rules and regulations and there is a Constitution for the entire system of the country, then should this issue be resolved in the House by bringing it under the Constitution so that one can never blame the other. It should be brought under the Constitutional system by enacting a law in this regard.

Sir, today people of the country have faith in the judicial system, people wander for justice. They go to the Supreme Court and the High Court with hopes and they do not get justice even after 15-20 years. The system is not functioning and this is all due to the collegium system. As far as I can understand that the comments on the collegium system are being made because the social system of this country is unequal, it is a caste-based system. The social system of the country is caste-based. Under this system, the people belonging to the upper castes get respect and those who belong to lower castes in this social system are humiliated, is it the same under the collegium system? It is sometimes remarked that there is a sense of nepotism and familialism in appointments and transfers made under this system.

Sir, the temple of justice trusted by the Constitution and all the people and from where the country expects justice, if it becomes the synonym of nepotism and familialism, I think that it is not good for justice. People say and often comments are made that good lawyers and well knowledgeable people do not get a chance to become a judge and those who belong to a certain family and do not have any qualification, become judges. Therefore, we would like to say in the House that we definitely support this pension, salary and allowances amendment Bill which has been introduced here. Hon. Chairperson Sir, we should also consider that the way 130 crore people of the country show trust in the Hon. Supreme Court and Hon. High Court and expect justice from it, they

should get justice at the earliest. The appointments of judges in the courts of the State and the country should be made at the earliest for immediate disposal of cases. Those who are in prisons and have completed their sentence, they should be released within the time limit because several persons are still in prison despite completing their sentence. With these words, I conclude while extending support to this Bill.

*[English]*

**SHRI PINAKI MISRA (PURI):** Hon. Chairperson, Sir, I am thankful to you for giving me this opportunity to present my party, the Biju Janata Dal's views on this piece of legislation, which the learned Law Minister has brought in for passage in this House.

I am a little surprised that none of my predecessor speakers have expressed any concern about the wording of this Bill, the import of this Bill because I think, there is some concern in the manner in which the Government has brought this Bill. I am surprised that, including the Congress party, every party wholeheartedly has supported this Bill. Since everybody has spoken about everything else except the Bill, I think I should speak a little bit on the Bill, and try and enlighten the House as to what the Bill attempts to do.

The Government, in its wisdom, had brought about an amendment both in the Supreme Court Judges' Salaries Act as well as in the High Court Judges' Salaries Act, to insert Section 16B in the Supreme Court Judges Act and Section 17B in the High Court Judges' Act, to basically cater to ageing Judges, Judges who reach the age 80, 85, 90, 95 or after their death, their families. That was the import; that was the idea.

Now, the wording at that point was about that additional quantum of pension or family pension for Supreme Court Judges, High Court Judges, and their families, and that they are entitled to additional quantum from 80 years to less than 85 years, from 85 years to less than 90 years, from 90 years to less than 90 years. The word 'from' led to some disputes as to what does it mean. So, the Guwahati High Court and the Madhya Pradesh High Court -- both the High Courts -- said that 'from' will mean 'from the day you enter that age.' Now, very importantly, a writ of mandamus was issued to the Central Government, the Union of India. The Union of India challenged this in the Supreme Court. On

8<sup>th</sup> July, 2019, the Chief Justice had got three Judges where the learned Solicitor-General, Mr. Tushar Mehta appeared for the Union of India and attempted to have that mandamus set aside; and the hon. Supreme Court said:

“Delay condoned. Having heard learned Counsel for the petitioner and on perusing the relevant material, we are not inclined to interfere. The Special Leave Petition is accordingly dismissed.”

So, the Guwahati High Court Judgment and the Madhya Pradesh High Court Judgment attained finality.

Now, what does the Government want? The Government wants to bring a validating Act to ensure that Parliament now nullifies the Guwahati High Court and the Madhya Pradesh High Court Judgments. That is what the Law Minister wants us to do.

I am not able to persuade myself to vote in favour of such an action, with the greatest respect.

**HON. CHAIRPERSON:** Has the matter not gone to the Supreme Court?

**SHRI PINAKI MISRA:** The Supreme Court, having already now, dismissed the Union’s appeal, I think, the Union Government should, in all grace, have accepted the mandamus that was issued, and have accepted the Judgment. Rather than that, they are bringing a validating Act and, as the hon. Chairperson, who is very, very knowledgeable in legal matters, knows very well -- this is the law for the last 50 years -- that Parliament cannot nullify a mandamus by an enactment. It would be an impermissible legislative exercise, and even an interim direction cannot be reversed by a legislative veto. These are two final Judgments of the High Courts.

The Parliament is now being persuaded to nullify a mandamus by an enactment by the learned Law Minister.



Sir, my party, the Biju Janata Dal, which is for an independent, vigorous and vibrant Judiciary, cannot countenance an action by which the final mandamus of the High Courts, upheld by the Supreme Court, is sought to be nullified in this fashion by a legislation by Parliament.

**18.00 hrs**

I do not think, that is the way forward for us. I think, most of my colleagues here, who are learned senior advocates, who know the law, would be persuaded to agree with me that this is possibly not a correct course of action. I would urge the Government to reconsider and not be churlish in these matters. We know that it is very difficult to get good members and earning members of the Bar to become judges. The lawyers who are earning handsome amounts in private practice do not want to become High Court Judges. What is the signal you are sending out? Do you want to slash a year's pension of the judges and their families by doing this? Is that the right signal we are sending out to the lawyers who are to be persuaded today? I know the fact that the Chief Justice of High Courts had, actually, called young lawyers into their chambers, who are in mid 40s and late 40s, and personally asked them virtually as a favour: "Look, this is a public service. This is a duty to the nation. You made enough money for you and your family. Please come and serve the nation."

**HON. CHAIRPERSON:** Pinaki Misra ji, we have to extend the time of the House. If the House agrees, we can extend the time of the House till 8 p.m.

**SEVERAL HON. MEMBERS:** Yes.

**SHRI PINAKI MISRA:** Therefore, Mr. Chairman, I would urge the Government very seriously that this ought to be relooked at, particularly, when we have a new Law Minister today. I am happy to say that he sent out all the right signals so far. The fact that nine judges were appointed to the Supreme

Court in one go and very quickly after the Collegium had recommended those names sends out a very good signal. Three of them are lady judges. We have, now, been fortunate that hopefully we will have the first women Chief Justice of India when many other countries in the world have had woman chief justices. So, the congratulations are in order for the Law Minister.

There has been a very bad stalemate that not a single Supreme Court Judge could be appointed through all of 2020. That is a very sad state of affairs. The manner in which the Collegium has functioned, I am one with my colleagues who have said that the Collegium system has many fault lines. Then, again, I want to request the Law Minister one thing. This House has passed the National Judicial Appointment Commission Bill unanimously. This House and the Rajya Sabha excepting –Mr. Ram Jethmalani, God blesses his soul, who is in his wisdom was always a dissenter – Mr. Jethmalani, everybody else, 750 odd MPs, voted for the NJAC. I believe and, I think, the Law Minister as well as many of my colleagues will agree with me on one thing. The Supreme Court would have, actually, upheld it but there was a little tweaking. We know what happened in the Supreme Court. If the Government had not dug its heels in and gone hell for leather in the Supreme Court or if they had been a little more accommodating, I think, the Supreme Court would have upheld this legislation. But, even today, there is no harm in us coming back with a fresh piece of legislation and with a fresh NJAC Bill in order to cure one or two of the defects which the Supreme Court felt. It is all well-known what had happened with the NJAC Act and why it was struck down by 4:1. I think, the Government, in its wisdom, should bring a fresh piece of legislation today which will be passed. I think, the Law Minister is mindful of this.

We have, fortunately, today a Chief Justice of India who is truly willing to take all stakeholders on board. He is willing to take all the players on board. He is going in for a very wide consultation. He and the Law Minister are in perfect

sync with each other. Therefore, this is the right time, I believe, that the whole problem that this nation has of vacancy of judges can be solved. Your answer to the Rajya Sabha the other day, Mr. Law Minister, was alarming that there are 406 High Court Judgeships vacant today. I mean, that is an astonishing number. It is almost 40 per cent vacancies. How can this country survive on 70 per cent judges when there are 56.42 lakh arrears in the High Courts? We have yet to fill up 40 per cent vacancy. I mean, somebody is answerable for this. I think, somebody, as young and dynamic as you, must persuade the Judiciary to set aside their differences and push the names. Names are already there but I do not know how many names are pending with the Government. I believe, more than 100 names are pending with the Government. I do not want to go into the individual names. Many of my colleagues have mentioned individual names but I do not believe, judges by individual names should be mentioned on the floor of the House.

That is probably not the correct course of action. But, please for God's sake, try and clear, regardless of what your personal anxiety sometimes is, in these matters of x, y and z. Try and clear as many names as you can, as quickly as possible because there are 56.42 lakh cases of arrears in High Courts. It is an astonishing number. There are 4 crore cases in the lower courts. The other distinction that we have, *vis-à-vis* China, is that ours is a nation governed by the rule of law. We say that India is an attractive destination because there is a rule of law here that obtains. What is the rule of law if there are going to be 4 crore cases in the trial courts, 56.7 lakh cases in the High Courts, and almost 70,000 cases in the Supreme Court? Therefore, Mr. Law Minister, you have to proactively push for vacancies in the High Courts and the Supreme Court now to be filled up.

The last thing that I have to tell you, and which I have been saying since 1996 is this. The age of the Judges must be at par. My friend, late Mr. Arun

Jaitley, of course, did nothing when he was in power. But when he was in Opposition, he said the right thing. He asked why can the retirement age of all the Judges not be 67. The Supreme Court and the High Courts shall make the retirement age as 67 but then, there should not be post-retirement sinecures. Let the Judges be elected. If they wish to serve in a Tribunal, if they wish to serve in any other institution, then let them be elected. Let them go and serve there but up to the age of 67. Please make it at par.

The High Court is a constitutional court under our system. As Justice Srikrishna very trenchantly said, most of the Chief Justices and senior Judges of High Courts are looking northwards, that is, towards the Supreme Court. Therefore, that is a very sad state of affairs. You are reducing the status of constitutional courts to subservient courts, which are constantly looking for approval from the Supreme Court. Therefore, please have all the Judges retire at the age of 67, and then, let them ensure that they get elected to whichever position they wish to serve on. If they wish to serve in a High Court, or the Supreme Court, or a Tribunal, or in any other institution, they should be allowed to do so but let them be elected.

Therefore, on these terms, I would urge the hon. Law Minister to firstly kindly reconsider this piece of legislation. It is because I find this legislation absolutely unconstitutional. I really do not believe that this Parliament has the jurisdiction to pass this piece of legislation as a validating legislation. The Supreme Court having rejected your SLPs, there is no way that Parliament should be party to this.

I once again thank you very much for having given me this opportunity.

**HON. CHAIRPERSON:** Thank you very much, Pinaki Misraji for the brilliant speech.

Now, Shri Shyam Singh Yadav.

*[Translation]*

**SHRI SHYAM SINGH YADAV (JAUNPUR):** Sir, I am thankful to you for giving me this opportunity to speak here. Hon. Members who spoke here earlier, were advocates in the Supreme Court and the High Court, spoke their mind. I also want to make use of this opportunity and want to tell that I have completed M.Sc. and LLB from Allahabad University and as my predecessor said that her name was recommended for High Court Judge at the age of 37. In the same context, I want to say that I could not practice law because I was in service. By the way, I am a registered lawyer of the Supreme Court. If I had practiced, my name would have probably been recommended for High Court judge at the age of 35.

Sir, this is a minor Bill. The Division Bench of the Madhya Pradesh High Court passed a judgment regarding start of the slab of pension for the judges of the High Court and the Supreme Court and it was observed that they would get pension after attaining the age of 80 years. Earlier it was that as soon as they complete their 79th and enter in their 80th year, their pension would start from first of January. But now a clarification has been given that after attaining the age of 80 years, their pay slab of pension will start from first of January. Now the pay slab of additional quantum of family pension has been prepared as 80 to 85 years, 85 to 90 years, 90 to 95 years, and basic pension and family pension has been fixed to 40 percent. Does the Government not think that a judge can live even after 95 years?

There has been a slight mistake in drafting this Bill. Instead, this should have been written that it would be applicable for the judges above the age of 90 years. I want to suggest this to the Government because when there has not been written anything for the judges above the age of 95, what will happen to them?

(Shri Bhartuhari Mahtab *in the Chair*)

**18:11 hrs**

.... (*Interruptions*) Sir, there should be additional 40 percent pay slab for all after 95 years of age. I would also like to mention that their pensions have been reduced to the level of 81 years from the earlier level of 80 years with effect from 01 Jan, 2021. This is a highly retrogressive step in my view. If they did have to bring out the bill, then why could they not have increased it to some extent rather than decreasing it. Grant of pension from the 76<sup>th</sup> years itself, soon after completing 75 years of age could also have been done which would be a good step for the judges. The sitting judges enjoy handsome salary and higher perk. But the “helpless judges”, I would like to reiterate, the “helpless judges, because they are hardly getting the half or the one third of their last salary as pension. So far as I am concerned, the Government has caused the prices and consequent inflation to rise to such a higher level that they would hardly be able to sustain their lives.

Sir, I would like to appeal to the Government that the pension slab of the retired judges be raised to the next one. The way the hon. High Court judge namely Shri Virendra Dutt Gyani, who is a knowledgeable person in a true sense has clarified it, is highly appreciable. The alacrity, with which the Government has brought out amendment, should be displayed also in fulfilling other duties. I, at times, appreciate the promptness of this Government. Let it be the police, ED, CBI, Income Tax, Narcotics department or, any other departments, the Government has taken control of all administrative machineries. The Government has puppetised them and use them in her interests. I would like to mention a couple of examples here. Earlier, the Congress Government also used to do the same but whenever, there would be any questions of any opposition parties, Congress used to do this job after waiting for a couple of months. At

many places you might have observed this, for example, the officials of Income Tax and ED department reached the resort then and there as one of the political parties has taken its MLAs to the place for preventing them from horse trading.

Sir, during the tenure of Congress, it used to get delayed for three to four months, but the present Government is very adept and alacritous in doing this job. I would like to appeal to the Government to show such adeptness and alacrity in dealing with unemployment, inflation, government jobs and other developmental issues. Please do such a thing so that the trust of the people could be kept. The judiciary has remained the only department where people repose their trust, faith and belief. But the way our judiciary has been started being questioned, the day is not far when the people will start cursing this department too. It has been infested with the weevils and termites. It needs to protect her entity and safeguard her image in the public.

I would like to mention here that the people apprehend that the way the Government has tightened her grip on the other departments, the same they have done to the judiciary. The Government should release the grip from the judiciary to let judiciary function independently. The same way the judiciary ought to bring out the years long important issues like – Kashmir issue, Rafael issue and others, get them heard and disposed as early as possible to deliver justice to the people.

With these words, I present my neutral stand to this Bill, I would like to affirm my point that the working and retired judges be paid so much that they could not seek for the alternative route of making money and could work independently and impartially.

Thank you so much Sir.

*[English]*

**SHRI MOHAMMED FAIZAL P.P. (LAKSHADWEEP):** Thank you very much, Chairman, Sir, for allowing me to speak on this very important Bill. I am also thankful to my party for reposing faith in me to speak on the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021.

My learned friends and senior colleagues, who are also senior advocates, have gone very thoroughly into various aspects of the Bill. I am not going to repeat what my hon. learned friends have already elucidated here.

We all know that the legislative intent behind this Bill is to provide benefit of additional quantum of pension to a retired Judge from the first day of the month in which he completes the age specified in the first column of the scale and not from the first day of his entering the age specified therein. Shri Pinaki Mishra ji has very well put his points on the competency of the Bill with regard to that. There is no doubt that we should give them benefits to the possible extent for the kind of service the judges of the Supreme Court and the High Court render to the nation. But, at the same time, the Government should also think of the proportionate pendency of cases and the vacancies as of now in the country.

Justice should be delivered within the right time. But due to pendency of cases, it is not possible. Our Constitution also says that justice delayed is justice denied. This is directly attributed to the vacancies that need to be filled up. There are lakhs and lakhs of cases pending for want of justice in the Supreme Court, the High Courts, and the subordinate courts. This is an alarming situation and the Government of India should take a call on it. The sense of the House is that we should adopt the best method for filling up of vacancies of the judges in various courts so that timely justice is delivered to the common people.



We must also think of alternative dispute redressal forums. The Government must promote alternative dispute redressal system so that the common man can get justice before entering the court. The pendency of the cases can also be brought down to the minimum by technological upgradation and modernisation of the courts. The formalities of filing a case in the court like filling up lot many papers should be reduced. Though after the pandemic this has become online, but a system should be developed in such a way that procedures in the court are made easy.

We must also think of the unnecessary executive orders which attract people to the court. For instance, in my constituency of Lakshadweep, nowadays people have started rushing to the High Court. You know what is happening. The Law Ministry has issued a circular saying very clearly that if any State or Union Territory wants to bring in a piece of legislation, the pre-legislative consultation process must be in place before making a law.

I am the lone Member of Parliament from Lakshadweep. What happened in Lakshadweep was, there were a slew of legislations which attracted wide protests from the people across the party. What was the reason? There was not a single pre-legislative consultation in these cases like the enactment of PASA regulation. What is the requirement of PASA regulation in Lakshadweep? The Home Ministry's National Crime Records Bureau says that there are zero cases in the island and no objectionable decisions have been taken. But all of a sudden, the Administration decided that PASA regulation should be implemented there. I am thankful to the Home Ministry that it has frozen that for now. But the point is, on that decision people are forced to approach the court, which again is adding to the pendency of cases in the court.

Lakshadweep has become an area where no one can protest. Even a case was registered against me when I protested against the price hike of helicopter

ambulance. When the Government is not putting things in place in the hospitals, the patients are supposed to be evacuated by helicopter ambulance. The helicopter ambulance should operate on a free basis but there was 100 per cent hike in prices. A patient has to pay a minimum of Rs. 20,000 before he goes for the treatment. When we protest for such things, for which Article 19 gives us power under the Constitution, FIR is filed against us. For that again, we are going to the court. So, all these unnecessary executive orders also need to be looked at by the Government. There was an attempt by the Lakshadweep Administration to change the jurisdiction of the High Court of Kerala to Karnataka, precisely, when the present Administrator took charge.

**HON. CHAIRPERSON:** Article 19 gives you the right.

**SHRI MOHAMMED FAIZAL P.P.:** Yes, Sir.

The most popular language and which the people of Lakshadweep speak is Malayalam. Proceedings will be easy for us to understand if the court is in Kerala. The name of the court is the hon. High Court of Kerala and Lakshadweep. An attempt was made to shift the court from Kerala to Karnataka. The hon. Law Minister has got a Starred Question on this. He has to answer that question. This decision was dropped because of the protests.

So, my point here is that unnecessary executive orders also contribute in piling up of the cases. I support this Bill on behalf of my party. Thank you so much, Sir.

**SHRI KODIKUNNIL SURESH (MAVELIKKARA):** Hon. Chairman, Sir, thank you for giving me the opportunity to speak on this important Bill, that is, the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021.

This Bill seeks to amend the High Court Judges (Salaries and Conditions of Service) Act, 1954 and the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958. These Acts regulate the salaries and conditions of service of the judges of High Courts and the Supreme Court of India. Further, the Bill provides for additional quantum of pension or family pension. Under the Acts, all retired judges of the Supreme Court and High Courts and their family members are entitled to pension or family pension. They are also entitled to an additional quantum of pension or family pension when they attain a certain age in accordance with a specified scale. The scale contains five age brackets with minimum age of 80, 85, 90, 95, and 100 years, and the additional quantum increases with age from 20 per cent to 100 per cent of the pension or family pension.

This Bill clarifies that a person will be entitled to additional pension or family pension from the first day of the month in which they complete the minimum age under the age bracket concerned. So, the Bill is a piece of protective legislation that ensures economic wellbeing of the judicial fraternity in the country even at a time when the ongoing COVID-19 pandemic has caused immense unemployment, loss of jobs, and even suicides of several Indians who were unable to feed their children or were unemployed all of a sudden due to it.

When families are being decimated due to unemployment and economic hardship, the Government has chosen further to help and support the judiciary by a pension scheme and generous salary. While the decision is appreciable as it has been a long-standing demand of the judicial fraternity, lets look into matters

that are equal and important in nature. There are four crore plus pending cases across all courts in India. Hon. Members who have spoken in this House have also mentioned about this issue. These figures further reveal that cases that are more than 3-5 years old form the largest number of cases that are pending.

I would like to quote former Chief Justice Markandey Katju who stated in 2019: “Even if no cases were added, it would take at least 300 years to dispose the entire backlog of cases”. Who is the most affected party due to such backlogs? The Government should give a reply to this question. It is the poor, the Dalits, and the marginalised who will be affected as justice gets delayed and the process gets indefinitely lengthy. Therefore, the judiciary must make sure that justice is not denied or delayed to the poorest even when it is ensuring its perks and emoluments.

I would like to bring your attention to the Report titled ‘Landmark cases of caste-based sexual violence from 1985-2021’ released by the National Council of Women Leaders. The Report exposes invisibilisation of cases by the judiciary and upper caste brutality against Dalit women. The Report that carries references of twelve major cases states further that: “... in none of the cases mentioned in its Report, a decision was taken within a year. Only in three out of the twelve mentioned cases, there was a conviction of the accused. Even here, the conviction in two out of these three was for murder, and the court chose not to apply the SC / ST Atrocities Act. The position is clear that the judiciary is not doing its duty when it comes to Dalits, and their rights are not honoured or maintained.

Now, I am very happy to note this Bill being discussed for such a long time in the House. I am saying this because during the BAC some of the Members asked the reason for allotting so much time for this Bill. But I argued that this is a very important Bill.

**HON. CHAIRPERSON:** You cannot say what transpired in BAC.

**SHRI KODIKUNNIL SURESH:** Yes, but there was such a suggestion.

**HON. CHAIRPERSON:** You have widely referred to it.

**SHRI KODIKUNNIL SURESH:** Yes. Of course, this Bill is related to salary and pension, but at the same time hon. Members have spoken on various aspects and problems being faced by our judiciary. Hence, I had made such a suggestion.

Now, I want to express the feelings of having Scheduled Castes and Scheduled Tribes in the judiciary.

What is the situation? Everybody knows about it. I am not going into the details. The fact is that in the 70 years of its existence, India's Supreme Court has seen only eight women Judges and one Dalit Chief Justice of India. This is the testament to the reality that the composition of our Judiciary is not representative of our population.

When, Shri K.R. Narayanan became the President of India....  
 ...(Interruptions) ... \*

**HON. CHAIRPERSON:** You don't have to say that. This will not go on record. Don't mention that.

**SHRI KODIKUNNIL SURESH:** I agree.

Anyway, I am very proud of that. I am from Kerala. I am very proud to say that the Dalit Chief Justice of India, Shri K.G. Balakrishnan, belongs to Kerala. After the Dalit Chief Justice of the Supreme Court, I think, there is no chance to have Dalit Judges in the Supreme Court or the Chief Justices in the

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\* Not recorded.

High Courts. These kinds of disparities are going on in the country. After Independence, representation of the Scheduled Castes and the Scheduled Tribes in our Judiciary is going away from us.

Recently, on 17<sup>th</sup> August, 2021, a major landmark resolution was made by the Supreme Court Collegium, with a series of firsts, with the appointment of three women Judges. I am very glad to say that in 2027, we are expecting a woman Chief Justice of the Supreme Court. The Collegium has also proposed names of Judges from both the Scheduled Castes and the OBCs – Justice C.T. Sivakumar and Justice M.M. Sundaresh respectively.

The Judiciary has been slow in ensuring the representation of the Scheduled Castes and women as judicial officers as it took 70 years or so in making the wheels of an inherently biased system to approve the representation of the marginalised and women move in a positive direction. The present decision in Judiciary even in a small fraction is appreciable. However, this does not mean that the longstanding demand of various lawmakers to ensure reservation of the Judges is taken up by the Government or the Judiciary debating this most sensitive matter as reservation is the only way for the SCs and the STs to ensure their rightful representation in the judicial system.

I demand once again that the Government should implement the reservation policy in judicial appointments in India so that the Dalits will get an opportunity in representing themselves in the highest forum of justice that is otherwise biased against them. Sir, you are aware of that. Among the SCs and STs, there are eminent lawyers, senior advocates but why is the Collegium not considering the SC and ST advocates for nomination as Judges of the Supreme Court and the High Courts. It is very unfortunate. This is an historic debate as far as the SC and the ST people are concerned. That is why, I am expressing my

anguish and deep pain about the lack of representation of the SCs and STs in our Judiciary.

If '*Azadi Ka Amrit Mahotsav*' is to have any meaning, the Government must ensure reservation of Dalits in the Judiciary and make the 75<sup>th</sup> year of Independence truly meaningful. Are our Judges fair and transparent is a question that merits a discussion? There are instances where former Chief Justice of India Justice ... (*Interruptions*) ...\* was rewarded with a nomination to Rajya Sabha, immediately after his retirement, for his support to the Government of the day, and Justice Kishan Loya found dead under mysterious circumstances.

Another former Chief Justice of India was appointed the Governor of Kerala immediately after he retired. His name is ...\* You are very much aware of it. Will the Loya's family ever get justice? Will the Dalits and marginalised get timely and fair justice? Will the pendency of cases ever be reduced so that people do not have to spend a lifetime in courts waiting for judgments?

These are the questions that Parliament must ask while deciding on the salary and pension of the judges. I would also like to add that Chief Justice Ramana suggested appointment of a central agency, with a degree of autonomy, for overseeing infrastructure development of the subordinate courts in India which is an important aspect to increase the efficiency of the courts.

It is important to note that out of total of Rs. 981.98 crore sanctioned in 2019-20 under the Centrally Sponsored Scheme (CSS) to the States and Union Territories for the development of infrastructure in the courts, only Rs. 84.9 crore was utilised by the five States combined rendering the remaining 91.36 per cent of funds unused.

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\* Not recorded.

This underutilisation of funds is not an anomaly induced by the COVID-19 pandemic. This issue has been plaguing the Indian judiciary for nearly three decades when the CSS was introduced in 1993-94.

This is one of the reasons why the Chief Justice of India, Justice N. V. Ramana, recently proposed the creation of National Judicial Infrastructure Authority of India which will take control of the budgeting and infrastructure development of the subordinate courts in the country.

I would like to add that the Indian judiciary infrastructure has not kept pace with the huge number of litigations instituted every year as the total sanctioned strength of the judicial officers in the country is 24,280 and the number of court halls available is just 20,143 including 620 rented halls.

Hon. Chairman, Sir, we have to start from the basic that includes infrastructure development, dispensation of cases with effective speed and reduction in pendency. These matters are to be addressed, as the hon. Chief Justice has pointed out, by means of a single institution or agency, the National Judicial Infrastructure Authority of India, which will take control of the budgeting and infrastructure development of subordinate courts in the country.

I would conclude by saying that justice delayed is not justice denied, but justice destructed and diminished also. The judicial system while deliberating on salaries and pensions must also ensure that justice is served on time.

**HON. CHAIRPERSON:** Suresh ji, you gave a very elaborate logic. Thank you very much.

Before I call on Mr. Rajendra Agrawal to speak, I just have to share an information which has been communicated to me from the hon. Speaker that whoever will be speaking after this will be speaking for only three minutes



because we have to conclude by 7:30 pm in order for the hon. Minister to start the reply at 7:30 pm. I hope everybody agrees to it.

*[Translation]*

**SHRI RAJENDRA AGRAWAL (MEERUT):** Hon. Chairperson Sir, I am very grateful to you for allowing me to speak on “The High Court and Supreme Court Judges (Salaries and conditions of service) Amendment Bill, 2021.” Although, this is a very minor amendment.

**HON. CHAIRPERSON:** But, it is important one.

**SHRI RAJENDRA AGRAWAL:** It is definitely important. Whatever is put up before the house is definitely important. The intellect and the analytics with which our colleagues have expressed their views, shows their experience of practicing law. It was more of an experience rather than listening to all of them. If I talk about myself, being an ordinary citizen I do not have law background.

I would like to mention a few minor things which I have noticed.

**HON. CHAIRPERSON:** May I ask you a question please, you might have been a litigant.

**SHRI RAJENDRA AGRAWAL:** Sir, I will speak as a litigant only. It is said that the interest of a litigant is paramount. I will try to present my side as the same.

If we talk about the background, it is very simple to understand that in the year 2008, the Central Government after due deliberation, increased the quantum of pension of Civil Servants under the 6<sup>th</sup> Pay Commission. Accordingly, a clarification was also issued after one month. In the same manner, amendments regarding salaries of the judges have been made to this Act, but it was lacking any clarifications. I would not delve into the details of this amendment, but as per the opinion of honourable High Courts of Guwahati or Madhya Pradesh, 80 years stands for the date from which 80<sup>th</sup> year starts. It developed an anomaly

that 80 years was considered after completion of 80<sup>th</sup> year for Civil Servants and at the beginning of 80<sup>th</sup> year for the judges. What I understand that this amendment has been brought in to remove this anomaly.

This Bill contains this much amendment only. As I have mentioned earlier that a lot of aspects have been discussed upon here, scholar colleagues have discussed, but being a litigant, I would like to request regarding a few points. Often, it is said that justice delayed is justice denied, which has been quoted here too. If I talk about Uttar Pradesh, Western Uttar Pradesh or, the entire country in general terms, then the pendency which is existing presently is actually humongous. There are approximately 4.5 cores of cases pending with the Supreme Court, the High Courts and the Subordinate Courts. 41 percent of these cases are pending with the High Courts especially. I would like to concentrate upon those which are older than five years. 21% of the cases are even older than ten years. Certainly, there have been several measures taken towards improving the efficiency of the judicial system. Fast Track Courts have been created, Special Courts have also been formed at a few places, Tribunals are also set up but it seems to be taking very long to overcome the problem of pendency.

Generally, if I talk about Uttar Pradesh, crimes start increasing and criminals get encouraged at all levels, if immediate justice is not done to the criminals. The another side of the context is that approximately Five lakh prisoners are detained in different jails across the country today. The two third of the prisoners are those who are still behind the bars despite serving the maximum awardable sentence with respect to their crimes. All of these are happening because there is any weakness or a flaw somewhere or the other in our justice delivery system.

If I talk about Uttar Pradesh and Western Uttar Pradesh, we have Allahabad High Court. Of the cases pending in the High Courts, eight lakh cases

are pending in the Allahabad High Court. West Uttar Pradesh has the highest share in eight lakh cases. I agree that there is a shortage of High Court benches in Uttar Pradesh, and this is the reason, the prisoners of Uttar Pradesh do not get justice. High Court benches should be set up here.

We all know that Uttar Pradesh is the largest State in terms of population. It has a population of 24 crores. Other than Allahabad High Court, there is a Lucknow Bench which has the Jurisdiction of 12 districts, rest of the districts are dependent on the Allahabad High Court itself for justice. If we compare in terms of population, Uttar Pradesh with the population of 24 crores has one main court and one bench. Maharashtra, which is home to population of 11 crores, has three High Court Benches at Aurangabad, Nagpur and Panaji. Apart from the main High Court in Tamil Nadu, there is a bench at Madurai. Madhya Pradesh has a population of seven crores, and it has two Benches at Indore and Gwalior. West Bengal has Benches at Jalpaiguri, Port Blair. Karnataka has a population of six and a half crores, and it has Benches at Hubli, Dharwad and Gulbarga. If we look at it from population point of view, to cater the need of such a large population of Uttar Pradesh, the High Court and its Lucknow Bench are not sufficient.

If we look at it from area point of view, I come from Meerut in western Uttar Pradesh; there are many cities from where we have to cover 600, 700 and 750 kms to reach Allahabad. The distance from Saharanpur to Allahabad is 752 kms, from Shamli, it is 720 kms, from Muzaffarnagar, it is 692 kms, from Bijnor and Amroha, it is 692 kms and Meerut, where I come from, the distance is 637 kms. I can tell about each district. From my district, the distance of Allahabad High Court is around 600-700 kms. The High Courts in other States are comparatively at closer distance. Let us not talk about Lahore. Delhi High Court is 70 kms away from our area. The High Court of Gwalior in Madhya Pradesh is at a distance of 368 kms. Jaipur High Court of Rajasthan is at a distance of 335

kms. Shimla High Court in Himachal Pradesh is at a distance of 336 kms. Chandigarh High Court is at a distance of 239 kms and Nainital is at a distance of 249 kms. Through you, I want to bring this to the notice that the distance is so big that 6-7 High Courts of other States are closer to our area than Allahabad High Court.

Now what happens because of this, you can guess. My friend in Allahabad should not get angry; I am not saying anything about them. But, I don't want to go into the details of the way in which litigants from distant places are exploited. Whether it is the issue of fees or any other thing, they will go there, stay overnight, will search for hotel somewhere on rent and will find some other means. The situation is like this. We have a saying here that houses get sold in farm litigation.

**HON'BLE CHAIRPERSON:** Shall I believe that there are no more litigants from your side or from West Uttar Pradesh?

**SHRI RAJENDRA AGRAWAL:** Sir, I have just told you that there are many. They are large in numbers. Our Constituency is a little rich, people there fight cases and litigates as well. Therefore, they have to go there.

This is the matter of High Court Benches in Uttar Pradesh. It is not a current issue but is a very old issue. Our demand is not met, it is a different thing. For the first time in the year 1955, when hon. Sampurnanand ji used to be the Chief Minister of Uttar Pradesh, he sent a proposal. It was decided that either another High Court should be opened or the State should be bifurcated because the State is too large. It was told that the State would not be bifurcated but a Bench of the High Court would be set up. However, it was not approved. Even after that, continuous demand had been raised for it in the year 1976, 1977, and 1978. The agitation also goes on. But a decision could not be made for any Bench of the High Court. When Mrs. Indira Gandhi was the Prime Minister, she

had set up a commission under the Chairmanship of Justice Jaswant Singh. In 1985, it recommended that a Western Bench should also be set up in Uttar Pradesh and three Benches should be set up at other places too, as at that time, Uttarakhand was also a part of Uttar Pradesh. However, that did not happen either. Apart from this, the Law Commission in its 230th report has also said that there is a need to set up more Benches in big states like Uttar Pradesh and a few Benches can be set up in other States too to ensure quick delivery of justice. We have not been successful in it despite it being such an old issue.

Through you, I just want to say that 'affordable and accessible justice', while it is the responsibility of the Government, it is also the right of the litigant. Everywhere it is written, 'The interest of litigants is paramount.' However, it seems that it is not being taken care of under the present system. Considering the whole system, many aspects that have come here today, the issue of appointment of judges and separate Benches of courts, we also deal with the issue of court buildings, I am also raising this issue; my request is that after reviewing all these issues thoroughly, a decision needs to be taken in this matter. In Uttar Pradesh especially in Meerut, Agra and Gorakhpur, it is required to be set up, at present hon. Member from Agra is sitting here in the front row, three Hon'ble Members of Parliament have regularly raised the demand for Bench of High Court on various occasions.

I have also worked hard and prepared a blueprint of Uttar Pradesh in this regard and have given it to our hon. Minister of Law and Justice. There is Allahabad High Court, Lucknow Bench and apart from this, three more benches can be set up at Gorakhpur, Meerut and Agra. Apart from this, 1-2 benches can also be set up. I urge upon the Government to take cognizance of this demand of Meerut and Uttar Pradesh as I believe that this is a major issue. Other States also raise demand for benches of the High Court. Considering all these, some

decision should be made alongwith the review of the entire judicial system and we should also get justice. With this request, I extend my support to this Bill.

**HON. CHAIRPERSON:** Hon. Members, I want to reiterate that you should finish your speech within three minutes. We have more than 12 Members to speak.

Shri Hasnain Masoodi

*[English]*

**SHRI HASNAIN MASOODI (ANANTNAG):** This kind of a direction should come at the time of commencing the discussion.

**HON. CHAIRPERSON:** It never happens that way. As such, we have extended the time of the House till eight o'clock.

**SHRI HASNAIN MASOODI:** Thank you, Sir. The High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021 has come up after the day we joined the nation in paying tribute to Baba Saheb Ambedkar, the father of Indian Constitution. It was under his guidance that on 17<sup>th</sup> October, 1949 special status was granted to the erstwhile State of Jammu and Kashmir. This House, on 7<sup>th</sup> August 1952 approved the Delhi Agreement of 1952. This House also took a decision on 5<sup>th</sup> August, 2019. The decision on 17<sup>th</sup> October, 1949 was taken without a whisper of disagreement, without any dissent, amendment or any resignation. It was a unanimous decision. This is only one aspect of the case. I am mindful of the basic tenants, the spirit of the Constitution. I am mindful of the ambit and spirit of Article 3. I am also mindful of sweep of Article 356. The State was denuded of its special status.

When we speak about Constitution, you are aware that there is the letter of the Constitution. Then, there is the spirit of the Constitution. There are eminent lawyers sitting here. Then, there is the morality of the Constitution. There is the ethics of the Constitution. I am mindful of the spirit, ethics, and morality of the Constitution. The suspect law is being implemented. The principle is that whatever is under judicial scrutiny or whatever has been formally admitted and referred to a constitutional bench, it should not be implemented. By acting in that manner, we will be pre-empting the judgement that may come out of the



Supreme Court. So, it is unfortunate and very sad that suspect law is being implemented.

Now, coming to the Bill, the hon. Members have voiced their concerns about alarming, monstrous pendency of cases before the courts. They have rightly voiced their concerns and have repeated the cliché ‘justice delayed is justice denied’. They have also talked about the expeditious disposal of cases. I would like to remind the House that whatever is pending before different courts is not the only pendency. There is the pendency that has never seen the door of the court because most of the people live with the grievance. They live with the insult that is heaped on them. They live with the injury to which they are subjected, because they do not have enough resources to go to the court of law. They do not have access to justice. Access to justice is an integral part of right to justice under Article 21. There are eminent lawyers sitting here.

We have to ask a couple of questions to ourselves. What is the percentage of GDP that is spent on the judiciary? We say that judiciary is one of the three important organs of democratic polity. As per my information, it is not more than 0.7 per cent. Unless we increase the number of judges, the number of courts, how can we expect the system to deal with the alarming pendency that is right now awaiting disposal for the last so many years, and in some cases decades?

First is the manpower. Where is the trained manpower? I have given a closer look at it. I have been a part of the system. How can you deal with the pendency unless and until you empower the system and you provide sufficient resources to the system so that the system can gear up and meet the challenges? That is not being done.

As has been pointed out by other hon. Members, the second thing is with regard to the vacancies. Who will fill-up the vacancies? Unless we make the

vacancy filling-up system an efficient mechanism and we set a benchmark and timeframe everywhere, we will not be able to fill up the vacancies. The effort must be to empower and strengthen the Judiciary and we must provide sufficient resources, manpower, modern-day gadgets, networking system and internet facility, etc., across the country. Then only, we will expect the Judiciary to come up and pull its socks up and meet the challenges.

Another thing is about expectations.

**HON'BLE CHAIRPERSON:** Please wind up now.

**SHRI HASNAIN MASOODI:** Sir, please give me few minutes.

Mr. Suresh said that some segments do not get representation. I will speak about Kashmir. From Kashmir, there has been no elevation of an Advocate or a Judicial Officer as the Judge of the hon. Supreme Court. There have been such elevations from Jammu but for the last seventy-five years, there is not even a single elevation from Kashmir. We do not have a Judge.

Now, I come to the Bill. I think, this Bill only explains the ambiguity and tries to clear the ambiguity. But, I think, the baseline is that you should make judicial service attractive so that you can attract talent. We know what a Judge is getting as a salary; maybe, it is like a fee of a lawyer for one appearance before the hon. Supreme Court. How can we attract talent unless and until we revise the salaries and give attractive terms? In this case, there was an ambiguity. There is no doubt about it. But I am in respectful agreement with Mr. Pinaki Misra. It is better to go ahead with whatever was held by the two High Courts and indirectly also, there was a seal of approval of the hon. Supreme Court. Go ahead with it. What are the financial implications? You did not get it on the completion of 79<sup>th</sup> year. You did not get it when you stepped into 80<sup>th</sup> year. You got it when you were in your 81<sup>st</sup> year. How does it matter? What are the implications? How

much money are you going to lose? But you would make the service more attractive and you will attract more talent. So, unless and until you do that and you just make the service conditions much better, you cannot attract the talent. Thank you.

**SHRI E.T. MOHAMMED BASHEER (PONNANI):** Hon. Chairperson, Sir, thank you very much for giving me an opportunity to speak on the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021.

I fully agree with the contents of the Bill. In today's discussion, the eminent Members -- who are closely associated with the legal matters -- have explained it very well. Sir, it reminds the essentiality of regaining the credibility of the nation and the Judiciary, in particular.

Hon. Chairperson, Sir, while participating in this discussion, I commemorate a legal luminary and a proud son of India, Shri V.R. Krishna Iyer that the Judiciary has ever seen. Harish Salve, in his article titled, Justice V.R. Krishna Iyer: Man who rescued Supreme Court from Supreme Shame, wrote and I quote:

“The Supreme Court of India was crystallised to become the Supreme Court of Indians.”

Justice V. R. Krishna Iyer had himself wrote an article published in the Hindu and the title was, ‘Who will judge the Judges?’ Justice V.R. Krishna Iyer made an appeal to the Parliament in the following words and I quote:

“Parliament should wake up and implement Glasnost and Perestroika in Judiciary. In the name of Independence, we cannot have Judicial absolutism and tyranny.”

### **19.00 hrs**

Sir, now coming to the other points, the beauty and strength of the Indian Constitution is the Fundamental Rights enshrined in our Constitution. They are Right to Equality, Right to Freedom, Right against Exploitation, Cultural and

Educational Rights, Right to Freedom of Religion and Right to Constitutional Remedies.

Sir, what is really happening? In this country, all these Fundamental Rights are under attack and the Judiciary is bound to intervene in such cases but it shows helplessness.

Sir, I wish to submit another important thing. Yesterday, we had a very big discussion on the Nagaland incident. How are these kinds of things taking place? It is a blatant misuse of laws. Everybody is talking about AFSPA.

Sir, I along with two Members of IUML, Dr. M.P. Abdussamad Samadani and Shri K. Navas Kani had given a notice for Adjournment Motion. Unfortunately, it was not accepted.

Today's newspaper shows that the Human Right Commission has given a notice to the Government of India. Nagaland Chief Minister and Meghalaya Chief Minister have demanded that this AFSPA should be withdrawn. We all know about the historic struggle led by Irom Sharmila of Manipur. There was a lot of discussion on UAPA. I strongly appeal that this kind of draconian laws should be scrapped. That is the need of the hour.

Sir, human rights violations are taking place in a big way. We all know that Courts have got a responsibility. But unfortunately, they are taking talkative silence in the case of human rights violations.

I do not want to take much of the time of this House. I would like to talk about filling up of vacancies. I appreciate for the bold initiative taken by the Minister.

Sir, I am not a legal expert. I would like to say only one thing, that is about appointment of the Judges. I do not know whether I am correct or not.

Nowhere in the world, appointments of the Judges are done by themselves. That seems to be a very bad thing.

I am concluding Sir. I have a last issue. That is, with regard to social justice. Most of my friends were saying about that. We are all talking about social justice. When it comes to the ground reality, that is denied. Inclusive participation of everybody-concerned, especially the downtrodden, should be there. But the denial of justice is there. What I am suggesting is that due participation should be given to the deprived sections in the appointment of Judges. This principles of natural justice and reservation should be adhered strictly in the Judiciary.

With these few words, I conclude.

Thank you very much Sir.

**SHRIMATI APARUPA PODDAR (ARAMBAG):** Thank you, Chairman, Sir, for allowing me to speak on this important Bill, the High Court and Supreme Court Judges (Salaries and Conditions of Services) Amendment Bill, 2021.

When I stand to speak in favour of this Bill, I make a small observation. Sir, just right above your head, it is written in Sanskrit, *Dharma Chakra Pravartanaya*. These are the Buddha teachings. It teaches us about justice and fairness.

**HON. CHAIRPERSON:** Dharma Chakra is righteousness. Righteousness must prevail.

**SHRIMATI APARUPA PODDAR:** Righteousness, justice and fairness.

Sir, our polity and governance are in support to follow the principles of Lord Buddha. But in reality, the picture is entirely different. The Bill that we are discussing today is a small amendment Bill and the Statement of Objects and Reasons states that it has been brought to provide clarity regarding interpretation of additional quantum of pension to Judges covered under this Bill. The Bill is small but the issues surrounding the Judiciary today are extremely worrying. Our ranking in the Rule of Law Index have fallen to 79 in 2021 from 69 in 2020 out of 126 countries which display the sorrow state of affairs of our system.

Now, as a student of law, in *Jurisprudence* we were taught about *Dharma and Manu Smriti* which forces the Rule of Law. The Registry of the Supreme Court of India has compiled data on the status of judicial infrastructure of court amenities, including the size of court rooms, basic medical facilities, drinking water with purifiers, library and toilets. As per the data, 26 per cent of the court complexes do not have toilets for ladies. We talk about women empowerment

and equal rights, but we do not even have adequate facilities for female lawyers. This is one point that I want to bring to the notice of the hon. Law Minister.

A proposal has been received from the Chief Justice of India for setting up of National Judicial Infrastructure Authority of India for making arrangements for adequate infrastructure for the courts. For this, there will be a Governing Body with the Chief Justice of India as Patron-in-Chief. The other salient features of the proposal are that the National Judicial Infrastructure Authority of India will act as the Central body in laying down a roadmap for planning, creation, development, maintenance and management of functional infrastructure for the courts in the Indian system. I would like to seek a clarity on this point from the hon. Minister.

Sir, a provision to create an All-India Judicial Service is provided in article 312 (1) of the Indian Constitution. This will provide opportunities for the qualified fresh legal talents selected through a proper all-India merit selection system and would help in inclusion of many law students who are from marginal and deprived sections of the society.

**HON. CHAIRPERSON:** Please conclude now. We have a very few women participants in this discussion and especially she is mentioning about women lawyers.

**SHRIMATI APARUPA PODDAR:** Sir, my next point is about setting up of *Gram Nayalayas*. The pace of setting up of the *Gram Nayalayas* has been very slow. Against the target of 2500 *Gram Nayalayas* under the Five-Year Plan, only 402 *Gram Nayalayas* have been notified by 12 States so far. Out of these, only 252 are functional. I would like to request the Government to conduct a third-party evaluation and make a proposal to re-launch the scheme with revised guidelines for its effective implementation.



Sir, my last point is this. The people to Judges ratio in the country is not very appreciable. While in other countries, this ratio is about 50 to 70 Judges per million, in India it is only 20 Judges per millions of people. We are making laws in this House, but the number of Judges who are supposed to deliver judgements are very less in number. ... (*Interruptions*)

Sir, I would like to know one thing from the hon. Minister. Justice Jaymalya Bagchi was transferred to his parent High Court in Kolkata in September 2021 from Andhra Pradesh High Court where he was serving as a Judge since January, 2021. There was a delay of a month in notifying his appointment. What was the reason for which within nine months he has again been shifted from Andhra Pradesh High Court to Kolkata High Court?

Thank you.

*[Translation]*

**SHRI HANUMAN BENIWAL (NAGAUR):** Sir, first of all, I am thankful to you for giving me this opportunity to participate in the discussion of the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021.

**HON. CHAIRPERSON:** You have three minutes.

**SHRI HANUMAN BENIWAL:** Hon. Chairperson, Sir, we have listened to the views of the hon. members of the House, who are also learned speakers and many of them have been great lawyers in the Supreme Court and the High Courts, on the matter related to the salaries of the judges. Through the House, I would like to inform the Government and the hon. Law Minister about a few things related to the judicial system of the country.

As per the records of the Government, as on 29 November 2021, 24,485 posts of judicial officers are sanctioned in the District and Subordinate courts, out of which 5,191 posts are lying vacant in the country. As per the figures provided by the Center in the Lok Sabha, 1,080 posts of judges were sanctioned in 25 High Courts across the country, out of which 419 posts were lying vacant as on March 11, 2021, whereas in the Rajasthan High Court, out of 50 sanctioned posts of judges, 27 posts were lying vacant till March 2021.

As on 8 November, 2021, 70,038 cases are pending before the hon'ble Supreme Court; as on 29 November, 2021, 56,42,858 cases are pending before the honorable High Courts across the country and 3,79,42,466 cases are pending before the District and Subordinate Courts and several people die before getting justice under this judicial system. The Government needs to pay attention to this to ensure delivery of justice to the common man according to the spirit of the Constitution. The courts keep on giving dates for hearing, and the person's wait

for justice continues, and by the time, the matter goes to the top court, the person dies. We need to focus on how we can improve it.

In the judiciary, the voices of Dalits, Adivasis, backwards and minorities are not listened to. They do not get justice. Where there is no transparency itself, how can we expect justice. There is reservation in the two pillars of democracy, legislative and executive, then why is there no reservation in the judiciary? In the collegium system, the judges are appointed by the judges. Many honorable Members have opposed the collegium and many have supported it, but most of them wanted to know why this institution, formed to ensure compliance of the Constitution in the country, wants a monopoly on its appointments? There should also be Government intervention in the appointment of Hon'ble High Court and Hon'ble Supreme Court Judges. An inclusive system like reservation has not been given preference in judiciary?

Chairperson Sir, it is not only about reservation, but there should be opportunities for all. There is discrimination not only against the oppressed, deprived castes, but the boy and girl of poor upper caste or poor Brahmin also cannot dream of reaching there. Any person in the country can join the Indian Administrative Service, Indian Police Service etc. after passing the Union Public Service Commission examination and can hold the top administrative post of the country, but he cannot become a judge of the top judiciary of the country.

Chairperson Sir, there is nepotism in the appointment of judges in higher courts, if a judge from a particular chamber becomes a judge of the Hon'ble High Court, then he/she wants to appoint a person from his chamber there in one way or the other, this system prevails.

Chairperson Sir, I was reading a reply to a question of Lok Sabha dated 16th September, 2020, in which the Government of India has said that the appointment of Judges of Hon. High Courts is done under Articles 217 and 224

of the Constitution and no provision is made for castes including women in these Articles. But the Government has been requesting the Justices of the Hon'ble High Courts to consider the suitable candidates belonging to SC, ST, OBC, Minorities and Women while sending proposals for appointment of Judges. But you and we all know that no one will think. If I talk about Rajasthan, I am not talking about casteism, but it is unfortunate that the community from which I come in Rajasthan today, there is not even a single judge from OBC, Jat, Gurjar, Yadav, Meghwal and Meena including the backward classes. No one has ever cared of this. This is the situation of the whole country. There is a need to be looked into by the Parliament, Prime Minister and our Law Minister. Yesterday we all were saying that it is the death anniversary of Babasaheb Ambedkar ji, we should follow his ideal, but in the judiciary, Dalits, deprived and backward classes are still neglected for the post of judge.

Chairperson Sir, Shri Rajendra Agrawal ji has just finished his speech. The advocates of Agra, an area adjoining Rajasthan, met me and demanded the establishment of a High Court Bench in Agra. I also reiterate this demand. The report of Justice Jaswant Singh Commission has also advocated this. The Government should pay attention to this. Shri Rajendra Agrawal ji talked about Meerut. New High Court Bench should be established in Meerut and it should also be established in Rajasthan. Since, Rajasthan is the largest state of the country. There are only two High Court Benches in Jaipur and Jodhpur. The people of Udaipur have been agitating for 20 years continuously, so a new High Court Bench should be established in Udaipur as well. The people of Rajasthan can get a lot of benefits. The Government should work in the direction that how people could get speedy justice.

*[English]*

**SHRI N. K. PREMACHANDRAN (KOLLAM):** Thank you, Chairman, Sir. I had come with a prepared speech to support the Bill. But after hearing Shri Pinaki Misra, my learned friend, I am also in utter confusion whether to support the Bill or to oppose the Bill. I think that the Government will clarify the position. The hon. Minister will clarify the position. Then we will make up our mind.

As has been rightly pointed out by Pinaki Misraji, if it is to invalidate the judgement of the Supreme Court, then the law cannot be said to be a good law. The benefit of the eligibility of the additional quantum of pension to the retired judges and, that too, at the age of 80-85 years, 85-90 years, 90-95 years and even 100 years and after that is available. That is the pertinent question to be discussed.

In this case, it is from the date by which the judge entering into the age of 80 or after the completion of the age of 80. That is the only simple question to be discussed for which the Guwahati High Court had made a judgement. Against that judgement, a SLP was moved by the Government of India in the Supreme Court. The Supreme Court rejected it. The rejection of SLP means it is subject to correction. I am also saying, subject to correction, if the opinion is correct, then definitely, this is a bad law. It has to be reconsidered. That is my first point which I would like to make.

Invalidating a law passed and that too, through a Mandamus by the Supreme Court is being nullified by this Parliament. To give benefit to the retired judges at the fag end of their life is not fair. It is not good enough for such a legislation. That has to be reconsidered.

Sir, I would like to speak about some points about separation of powers. I am not going into the details of it. Power tends to corrupt, and absolute power

corrupts absolutely. This is the basic principle by which Doctrine of Separation of Powers has been debated since long. The separation of powers was extensively discussed in the Constituent Assembly but it was not given any constitutional status. Nowhere is there in the Constitution of India, an explicit provision to deal with the separation of powers, except in Article 50 of the Constitution, that is, the Directive Principles of State Policy, where the separation of Judiciary from Executive is explicitly explained.

Sir, I would like to quote Justice Frankfurter. He has said: “Enforcement of rigid concept of separation of powers would make modern Government impossible. Strict separation of powers is theoretically absurdity and practical impossibility.” I feel that this is a pragmatic version because separation of powers is theoretically an absurdity and a practical impossibility for a modern Government.

I am not going into the details of all these things. The President of India is the Executive head of India and he is also having the legislative powers when he summons the House. That means separation of powers in a rigid manner is not possible as far as the modern Government is concerned. That has to be kept in mind.

Sir, Indian perspective of separation of powers is the harmonious balancing of powers among the various organs. The functions and powers of the three organs are well defined and demarcated. All the three organs are supreme in their own spheres as to how to act in accordance with the provisions of the Constitution.

Keeping this in mind, the Indian judicial system has a big tradition of independent judiciary. Indian judiciary has played a very important and significant role in strengthening the democratic system of our country. The

landmark judgements of our judiciary reform the democratic fabric of our country.

The credibility of Indian judiciary was the highest once upon a time. But it is quite unfortunate to say that now-a-days, the credibility of Judiciary is under suspicion. It is being questioned from various corners. I can cite so many examples. I am not going into the examples.

Sir, Parliament is the will of the people. Hence the Legislature of Parliament is accountable to the people. The main question which I would like to pose is, the Judiciary is accountable to whom.

The Executive is accountable to the people of India through the Parliament. The Parliament or the Legislature is directly accountable to the people of India, because they are being directly elected by the people and they have to go back to the electorate for subsequent elections. So, the accountability of the Judiciary has to be earmarked; that has to be defined.

Now, I come to the point relating to the National Judicial Appointment Commission Act, 2014 which was struck down by the Supreme Court. I fully appreciate that it was one of the landmark Acts which was brought by this Government and enacted by the Parliament. The entire House appreciated it. What was the accountability of the National Judicial Appointment Commission? Was it accountable to the Constitution? Both the Houses of Parliament had passed the legislation, 20 States had passed the legislation, the President had given assent to it and it had become an Act of Parliament. After it became an Act of Parliament, the Supreme Court struck down the law only on the ground that it was changing the basic character of the Constitution. What was the logic in that? ... (*Interruptions*) That is why, it was being said by the Solicitor General and late Arun Jaitley that it is the tyranny of the unelected.

The Parliament and the Government should rise to the occasion to protect the legislative supremacy of Parliament. So, I appeal to the Government to please bring back the legislation. The National Judicial Appointment Commission Bill should be brought back and it should be passed by the House. The Government should have the political courage; the Government should have the political will to pass that legislation again and constitute the National Judicial Appointment Commission. Otherwise, these things will go on.

Sir, finally I would like to say that four members of the Judiciary simply struck down that law. What is their accountability? It means they are not ready to respect the will of the people. That is why, I am saying that Parliament represents the will of the people. The will of the people has to be respected. Judicial reform is the need of the hour. So, I appeal to the Government to come out with a comprehensive legislation so as to implement judicial reforms in our country.

With these words, I conclude.



**SHRI LAVU SRIKRISHNA DEVARAYAL (NARASARAOPET):**

Mr. Chairman, Sir, I thank you for giving me this opportunity.

The hon. Minister has been making all the right noises during the last few months after taking charge of the Law Ministry. He has appointed nine new Judges to the Supreme Court and there are also four women Judges in the Supreme Court now. It is a commendable job. There is nothing much to say about this Bill. Everybody is ready to support this Bill except for the fact what Shri Pinaki Misra has pointed out as to whether this House can actually pass the National Judicial Appointment Commission Bill again. I hope the Minister will clarify this point when he replies to the debate.

I have three points to make on this Bill. The first one is regarding the cooling off period which many Members have mentioned. This needs to be taken seriously because all the senior officers working in the public sector undertakings and the scientists working in ISRO also have cooling off period after they retire. So, how can the Judiciary not have it? During the last few months, I have seen the hon. Minister trying to revive the Arbitration Panel across the country. If we have this cooling off period and push them towards arbitration, the dream of the Minister will come true.

My second point is regarding the system of Collegium. There is nothing wrong with the people behind the Collegium. But the problem is with the opaqueness of the Collegium. The point is, even the people who had worked behind it also had been exposed. They conducted an unprecedented a Press Meet three or four years ago and they also asked for the revival of the system behind the Collegium. Most of the Members are also saying that there should be transparency in the Collegium. This Parliament passed the National Judicial Appointment Commission Act. I hope that Bill would again see the light of the day under the leadership of the hon. Minister.

Now, we have brought this Bill and we are going to pass it now. There are many other institutions which have also served the country extremely well like the Army. The Armed Forces are really looking for 'One Rank One Pension' scheme. I hope the Members of the Treasury Benches would keep that in mind. I would like to say that other institutions have to be given preference like the Army.

With these words, I conclude.

**\*DR. D. RAVIKUMAR (VILUPPURAM):** Hon. Chairman Sir. Vanakkam. Thank you for this opportunity to speak on an important Bill. I do not want to raise any issue creating confrontation between the Judiciary and the Parliament which has the power to legislate. Democracy will be protected only when the Judiciary and Parliament work hand in hand together. That is why, our revolutionary leader Dr. B.R. Ambedkar who framed our Indian Constitution, accorded the highest power to the Judiciary, the power to review the laws legislated by this Parliament. I want to say a few points on this Bill. The Experts who worked on the revision of salaries of Judges in India made a comparison with the per capita income existing in USA and Europe, came to a conclusion that the Judges in India are drawing more salary in comparison to these two countries. We should also take into consideration this aspect of comparison made by the Experts while arriving at a decision. Post retirement, the Judges are nominated to several Posts by the Union Government. As the Retired Judges are appointed as Chairpersons of the Tribunals and Commissions, there is an accusation that these Judges pronounce favourable judgement for the Government. The Law Commission headed by Justice Setalvad in its 14<sup>th</sup> Report had stated that the Retired Judges should not occupy or hold any Posts. That recommendation has not yet been accepted by the Union Government. Earlier some of the Judges who retired from Hon Supreme Court such as Justice Chelameswar and Justice Khehar have voluntarily announced that they would not accept any Post after retirement. But we have witnessed that some Judges are even nominated to Rajya Sabha post retirement. Therefore, the Government should take a clear stand on this aspect. There is an accusation that by allowing such post retirement appointments of Judges of High and Supreme Courts, the Government controls the Judiciary indirectly. As per the Article 50 of the Constitution, the Directive Principles clearly describe the aspect of protecting

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\* English translation of the Speech originally delivered in Tamil.

the freedom of the Judiciary. There should be any intervention from the Government in the affairs of the Judiciary either directly or indirectly so as to protect the freedom of the Judiciary. Many MPs who spoke here mentioned about NJAC which is a welcome step. Many people criticize the present Collegium system to be undemocratic. Therefore, we should have a system which is truly democratic. Since 25 years have passed after the introduction of Collegium system in the Judiciary, this should be reviewed. I therefore urge upon the Union Government to distinctly decide while making post retirement appointments after taking into consideration the points expressed on this subject. Thank you.

*[Translation]*

**SHRI BALUBHAU ALIAS SURESH NARAYAN DHANORKAR**

**(CHANDRAPUR):** Thank you, Chairperson Sir, I rise in the House to express my views on the High Court and Supreme Court Judges Salary and Condition of Service Amendment Bill-2021. Through this bill, provision to amend the Salary and Conditions of Service of the judges of the High Court Act, 1956 and the Salary and Conditions of Service of the judges of the Supreme Court Act, 1958 has been made. Through this, amendments are to be made in section 16(b) and 17(b).

Sir, in this Bill, the criteria for getting additional pension after the death of judges have also been clarified. Through this bill, an attempt has been made to remove some other such small shortcomings as well. It also includes the issue of entitlement of additional pension being sanctioned from the first day of the month in which the pensioner completes the age of 80 years, 85 years, 90 years, 95 years and 100 years.

Sir, the Gauhati High Court, which also covers Assam, Arunachal Pradesh, Nagaland and Mizoram, in its order dated 15th March, 2018 on a writ petition filed by one of its retired Judges, held that as per section 17B of the above High Court Judges Act, the first slab will be available to a retired Judge from the first day of his 80th year.

Sir, the Madhya Pradesh High Court also, vide its order dated 3rd of December, 2020 passed on the writ petitions filed by the Association of Retired Judges of Supreme Court and High Courts, directed the Union to specify the meaning of the word “from”, as it appears on the slab under section 16B of the 1958 Act and records as the first day of the minimum age under section 17B of the 1954 Act. Slabs i.e. 80, 85, 90, 95, and 100 years. Because of this, there

were many misconceptions about it, which have been tried to be removed by this bill.

The Bill, however, seeks to go against the orders of both the High Courts, taking the criterion from the first day of the month in which he fulfills the age specified in the first column and not the first day of the month of the age in which he/she enters, as interpreted by the judiciary. Nevertheless, some initiatives have been taken.

Sir, but with this I would also like to say that there are a large number of pending cases in the Supreme Court, High Courts and lower courts today and a large number of posts of judges and their supporting staff are also lying vacant. The low number of judges is directly related to the increasing number of cases in the courts. Concrete steps are needed in this direction. Some steps have been taken in this regard, but they are insufficient.

Sir, after considering all these matters seriously, it should be ensured how the poor get justice at the earliest. There should be a system of early disposal of cases using IT and communication revolution. The poor suffer the most due to the delayed and costly judicial process. Government should pay attention in this direction.

Sir, thank you for giving me the time to speak on this important subject.

**SHRI SURESH PUJARI (BARGARH):** Sir, thank you for giving me this opportunity to speak.

Sir, I rise to speak in support of this bill. In the year 2008, this arrangement was made both for civil servants and for High Court judges, as civil servants are those people for whom there is no law. They issued an order as office memorandum with provision of 20 percent, 40 percent, 50 percent and 100 percent. There was confusion due to the incorrect use of terminology in the bill which was brought at that time. I also read the order of the Gauhati High Court and as a lawyer, I tried to interpret it. I also read the order of Madhya Pradesh and also the SLP which was rejected in the Supreme Court, I also read about it. I think the interpretation given by the Gauhati High Court was correct. If you find Literary Meaning of it, when you speak 80 years, it means after the completion of 79 years, but that was not the intention of the Government. I feel that except for the literary meaning, seeing the Intention of the Government and the Intention of the Legislature, perhaps such an order would not have been issued either in the Gauhati High Court or in the Supreme Court. All hon'ble Members have spoken about this subject here. It also talks about bifurcation of the High Court. Hon. Minister, I want to say that the region from where I belong, from the western region of Odisha and today you see the coincidence that the hon. Chairperson, , is also from Cuttack and 50 years have passed since then. We want bifurcation of the High Court in Cuttack. The said issue is pending since 50 years.

Sir, this is going on for five generations. We had written to your previous minister also regarding this. The Chief Minister himself had written to get the High Court bench in the Eastern Part of Odisha and Southern Part of Odisha, but your predecessor had written a letter to the Chief Minister asking about the place and location for building the High Court about the Jurisdiction and and also demanding on undertaking that the government was ready to pay recurring

expenses. I think after that there was no response. After that your predecessor minister also wrote to the Chief Justice. It's been 10 years. ...(*Interruptions*)

**SHRI PINAKI MISHRA:** You are absolutely right, it is in the domain of the Chief Justice.... (*Interruptions*)

**SHRI SURESH PUJARI:** Well, if it is in the domain of the Chief Justice, but I want to say that it has been 10 years since a Law Minister wrote a letter, a Chief Minister wrote a letter. Why is there no 'yes' or 'no'? Either it should be 'yes', otherwise it should be 'no'. It's been ten years. So if High Courts are not ready to listen to the Government and not ready to reply their letter I think [*English*] if we are not in a position to do justice to the Central Government and to the Chief Minister, how can we render justice to the common people? [*Translation*] I want you to write again about that too. Write also to the Chief Minister and also to the Chief Justice of Odisha. Tell the Chief Minister where to establish it? If Western Odisha is the name of a place? It is the name of a region. Where do you want to establish in Western Odisha and what will be the jurisdiction of it? You write a letter to them and also write a letter to the High Court for infrastructure, land and other ancillary arrangements, along with recurring expenses.

I think the hon.MP was talking about quality. When you look for talent in the pond, you will find small fish, but if you look for it in the sea, you will find big fish too. There should be expansion of that too. You were talking about the appointment of judges. We should also get a chance, if you give us the High Court, then we can produce the best judges in the whole India. I think Western Odisha has talent. I have read and measured the parameters of Jaswant Singh Commission. Jaswant Commission is also ready to have a permanent bench of the High Court in Western Odisha, the Central Government is also ready, the Chief Minister also says that he is also ready. If you're all set, then why are it is



getting late? It is my request to the Minister through you that please take special interest at a personal level to make a permanent bench of Odisha High Court in Western Odisha. Thank you so much.

**HON. CHAIRPERSON:** This is a long pending demand. The judicial commission is also constituted, the committee report is also there and the approval has also been given by the State Government. This has also been approved by the Central Government.

**SHRI PINAKI MISHRA:** Sir, on our part, we give you full assurance that whatever is required for infrastructure will be provided by the Biju Janata Dal, by the Government. I concur with this House and I concur with my friend.

*[English]*

**SHRI SURESH PUJARI:** Perhaps, it is a golden day for me as we have got the support from the Biju Janata Dal, we have got the support from the House, and we have got the support from the hon. President. Thank you.

**KUNWAR DANISH ALI (AMROHA):** Thank you very much, hon. Chairperson Sir, for allowing me to speak on the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021.

*[Translation]*

The issue I wanted to raise as a last item, but I begin with that as the atmosphere has become like this.

**HON. CHAIRPERSON:** You have three minutes.

**KUNWAR DANISH ALI:** Sir, I have eight minutes, it is already decided.

**HON'BLE CHAIRPERSON:** It will not happen. Someone has spoken on behalf of your party.

**KUNWAR DANISH ALI:** Sir, one MP has spoken on behalf of the party and he has taken time.

**HON'BLE CHAIRPERSON:** You are the second speaker.

**KUNWAR DANISH ALI:** Sir, you are sitting there so you will give me protection. All I want to say is that the demand of the High Court Bench in Western Uttar Pradesh is a long pending demand and is a decades old demand. That demand should be fulfilled. A man from Western UP walks 800 km from Saharanpur to Allahabad to seek justice from the High Court. This is my demand from the Government, I know that people are discussing here that the Supreme Court does not listen, the Government is not so weak. I know that when the Government has a will, it either does not implement many decisions of the Supreme Court collegium or puts pressure on the collegium that if you recommend the name of a particular judge, then we will not accept any recommendation. The whole country knows that the Justice...\* who was the senior most in the High Court list, who was to be appointed in the Supreme

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\* Not recorded.

Court, but there was pressure from the Government on the collegium that if you include his name in the list and send it, we would not approve a single name.  
 .....(*Interruptions*)

**HON. CHAIRPERSON:** Please remove the name of Justice.

...(Interruptions)

**KUNWAR DANISH ALI:** Collegium has not made any recommendation for the last one and a half years. Chairperson Sir, through you, I just want to ask about the status of justice in the country? More than 50 lakh cases are pending in the High Court and more than four crore cases are pending in the Lower Courts. In this, most of the cases are related to the poor people in the country. The pending cases are related to Dalits, backward, minorities and tribals. Sir, through you, I would also like to say that for the last few days it has been observed that representation of SC, ST, OBC and minorities are not taken care of. I just gave an example that the Government knows where to exert pressure. But, when it comes to the representation of SC, ST, OBC and minorities, the Government doesn't care. The Government sits on the file and doesn't clear it for several months and years. Sir, I am concluding. Through you, I would like to say that important cases related to the people detained under UAPA and the other cases are pending with the hon. Court and Constitutional Bench. The Government has a will. If the Government doesn't want to take up the cases related to particular issue now, it gets it pending in hon. Supreme Court ...(*Interruptions*)

**HON. CHAIRPERSON:** Courts are closed for the last two years.

...(Interruptions)

**KUNWAR DANISH ALI:** Sir, courts are not closed. As Pinaki Ji has said, we have seen the video clippings of how and in what condition big lawyers attend hearing online... (*Interruptions*) Sir, I am just concluding...(*Interruptions*)

Sir, the poor people are not getting justice in the higher judiciary because the fees of those who represent them in higher judiciary and advocates is so much high that the poor people cannot afford them. I am concluding my point by saying that please set up a Bench of High Court in Muradabad division in Western Uttar Pradesh or in Garhmukteshwar where a big pilgrim place of Braj Ghat is being built. Hon. Law Minister, your Government is in Uttar Pradesh and at the Centre also. You can do this if you want. ...(*Interruptions*)

[*English*]

Thank you very much Hon. Chairperson Sir, for (کنور دانش علی (امروہ): allowing me to speak on the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021 میں اس کو پہلے شروع کر لیتا ہوں، کیونکہ ماحول ایسا بن گیا ہے۔

جناب، آپ بیٹھے ہوئے ہیں اس لئے آپ مجھے پروٹیکشن دیں گے۔ میں یہیں کہنا چاہتا ہوں کہ مغربی اتر پردیش کے اندر ایک ہائی کورٹ بینچ کی ڈیمانڈ ایک لونگ پینڈنگ ڈیمانڈ ہے اور دسیوں سال پرانی ڈیمانڈ ہے۔ وہ ڈیمانڈ پوری ہونی چاہیے۔ مغربی یوپی۔ کا آدمی سہارنپور سے 800 کلومیٹر چل کر ہائی کورٹ سے انصاف پانے کے لئے الہ آباد جاتا ہے۔ میری سرکار سے یہ مانگ ہے، میں جانتا ہوں کہ یہاں جتنے لوگ ڈسکس کر رہے ہیں، سرکار اتنی کمزور بھی نہیں ہے، کیونکہ ہم لوگ بیٹھے ہیں تو کہہ رہے ہیں کہ صاحب، سپریم کورٹ سننا نہیں ہے، مجھے معلوم ہے کہ جب سرکار کی ول ہوتی ہے تو سپریم کورٹ کے کاليجيم کے کئی ڈیسیزنس کو یا تو وہ امپلیمینٹ نہیں کرتی یا کاليجيم پر دباؤ بناتی ہے کہ فلا جج کو آپ ریکمینڈ کریں گے تو ہم کوئی بھی ریکمنڈیشن نہیں مانیں گے۔ پورا ملک جانتا ہے کہ انصاف (کاروائی میں شامل نہیں) جو ہائی کورٹ کی لسٹ میں سینر موسٹ تھے، جن کو سپریم کورٹ جانا تھا لیکن کاليجيم کے اوپر سرکار کا دباؤ تھا کہ اگر ان کا نام شامل کر کے آپ نے بھیجا تو ہم ایک بھی نام پاس نہیں کریں گے۔

کاليجيم نے پچھلے ڈیڑھ سال تک ریکمنڈیشن نہیں کی۔ ڈیڑھ سال تک کاليجيم کی ریکمنڈیشن نہیں ہونے دی گئی۔ چیرمین صاحب، میں آپ کے ذریعہ سے اتنا ہی کہنا چاہتا ہوں کہ ملک میں انصاف کی کیا حالات ہیں؟ 50 لاکھ سے زیادہ کیسز ہائی کورٹ میں پینڈنگ ہیں اور 4 کروڑ سے زیادہ کیسز لوور کورٹس میں پینڈنگ ہیں۔ اس میں بڑی تعداد اس ملک کے غریب سماج کی ہے۔ جو

دلّت ہے، پچھڑا ہے، اقلیت ہے، آدی واسی ہے۔ ان کے کیسز پینڈنگ ہیں۔ چیرمین صاحب، میں آپ کے ذریعہ سے یہ بھی کہنا چاہوں گا کہ پچھلے کچھ دنوں میں یہ دیکھنے کو ملا ہے کہ جو ریپریزینٹیشن ایس۔سی۔، ایس۔ٹی۔، او۔بی۔سی۔ اقلیتوں کا ہونا چاہیے میں نے ابھی ایک مثال دی کہ سرکار کو جہاں چاہیے ہوتا ہے وہاں سرکار دباؤ بنا لیتے ہے۔ لیکن جب ایس۔سی۔، ایس۔ٹی۔، او۔بی۔سی۔ مائنورٹیوں کے ریپریزینٹیشن کی بات آتی ہے تو سرکار دباؤ نہیں بناتی ہے۔ سرکار کئی مہینوں تک سال۔سال بھر تک فائل پینڈنگ رکھ کر اس پر بیٹھ جاتی ہے۔ اس کو کلیئر نہیں کرتی ہے۔ جناب، میں اپنی بات مکمل کر رہا ہوں، میں آپ کے ذریعہ سے کہنا چاہتا ہوں کہ آنریبل کورٹس آج کل جو ہیں، آپ دیکھ رہے ہیں، ہم دیکھ رہے ہیں کہ جو اہم کیسز ہوتے ہیں، یو۔اے۔پی۔اے۔ میں جو لوگ بند ہیں، جو دوسرے کیسز ہیں جو کانسٹی ٹیوشن بینچ کے پاس ہیں سرکار کی ول ہوتی ہے، سرکار اگر چاہ لیتی ہے کہ اس ایشیو کو ابھی نہیں ٹیک اپ کرنا ہے تو آنریبل سپریم کورٹ میں پینڈنگ چلا جاتا ہے۔

جناب، میں یہ بھی کہنا چاہتا ہوں کہ کورٹس بند نہیں پڑے ہیں۔ پناکی جی کہیں گے کہ وکیل جو ہیں کئی بار ہم نے کلیننگس بھی دیکھی ہے کہ بڑے لائرس (Lawyers) کس طریقے سے کس حالت میں بیٹھ کر آن لائن بیرنگ میں شامل رہتے ہیں۔ سر میں بس کنکلوڈ ہی کر رہا ہوں (مداخلت)۔ سر میں کہنا چاہتا ہوں کہ غریب کو ہائر جیوڈیشری میں انصاف نہیں مل رہا ہے کیونکہ جو ریپریزینٹ کرنے والے لوگ ہائر جیوڈیشری میں ہیں، جو وکیل ہیں ان کی فیس اتنی زیادہ ہوتی ہے کہ غریب آدمی اس کا افورڈ نہیں کر پاتا ہے۔ میں بات کے ساتھ اپنی بات مکمل کرنا چاہتا ہوں کہ ہائی کورٹ کی بینچ مغربی اتر پردیش میں مرادآباد منڈل میں میرے یہاں گڑھ مکتیشور ہے، برج گھاٹ اتنا بڑا تیرتھ استھان بن رہا ہے کم سے کم آپ وہیں دے دیجیئے، محترم قانون منتری صاحب، آپ کی سرکار اتر پردیش میں بھی ہے۔ مرکز میں بھی ہے اور آپ اگر چاہیں تو یہ کر سکتے ہیں (مداخلت)

ختم شد

*[English]*

**SHRI THOMAS CHAZHIKADAN (KOTTAYAM):** Respected Chairperson Sir, thank you very much for giving me an opportunity to participate in the discussion on the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021.

Sir, upon reading the Bill, I had the impression that this is just to clarify on the effective dates on which the revised pension is to be provided to the retired judges. But after hearing hon. Member, Shri Pinaki Misra and hon. Member, Shri N.K. Premachandran, I have a doubt whether it was necessary for the Government to bring in such a Bill because we should always appreciate that the services of judicial officers, especially in the High Courts and in the Supreme Court, are very good. They are giving a very good service to the community and to the society and we should appreciate that by giving proper monetary benefit for that.

However, I would like to point out three serious deficiencies in the judicial system in our country. One is the insufficient judicial infrastructure which was mentioned by some of our Members. Second one is the large number of cases pending, and the third one is the absence of a branch of the Apex Court in South India.

First of all, coming to the insufficient judicial infrastructure, we have a majestic building for the Supreme Court and most of the High Courts have very big buildings. But should not we examine whether these infrastructures have modern facilities with the latest technology? This was evident during the COVID-19 pandemic when all the courts had to resort to virtual hearing mode. Most of the High Courts do not even have sufficient court rooms to accommodate the offices of the courts and the litigants.

Upgradation of the judicial infrastructure with modern facilities is an urgent need of the hour. ...(*Interruptions*)

**HON'BLE CHAIRPERSON:** Please conclude.

**SHRI THOMAS CHAZHIKADAN:** Sir, I will just conclude in a minute.

The next issue is with regard to the huge number of pending cases. Every year the number of cases instituted are much more than the number of cases disposed of. This results in piling up of the undisposed cases in every court. This backlog leads to a situation where most of the important questions of law do not receive timely answers. ...(*Interruptions*)

**HON. CHAIRPERSON:** Please conclude it with the last line.

**SHRI THOMAS CHAZHIKADAN:** Important constitutional law cases, many of them relating to the fundamental rights of the citizens, have been pending for years and even decades. In criminal cases, delays create great hardships, as the accused, many of them housed in jail, often must wait years for justice. ...(*Interruptions*) Thank you. Sir.

*[Translation]*

**SHRI M. BADRUDDIN AJMAL (DHUBRI):** Hon. Chairperson, I am thankful for giving me an opportunity to speak on this matter.

Sir, we are running out of time. I know that. Because of that, I would like to say directly to the Minister to increase the pension of the judges and provide so much facilities to all the people working in the Court so that they don't have to look for another job and sell their conscience to anybody after retirement. Today, many cases are pending in the country. Just now, everyone has said that around 75 thousand cases are pending in the Supreme Court. Similarly, cases are pending in the Lower Courts too. Lakhs of cases are pending in High Courts. Around 4.5 crore cases are pending in Lower Courts. Today, there is a need to look into this matter.

Chairperson Sir, I would like to tell the hon. Minister that justice is so much delayed in the country that the whole life of the people passes without getting it. People die in Jails. There is nobody in jail to enquire about them. They don't have anybody outside also to speak for them. Please try to dispose of the cases as soon as possible. Please give the order to dispose of these cases. Please increase the number of judges. Today, there is a shortage of judges everywhere. There is a need to increase the number of judges in the Supreme Court, High Courts, and Lower Courts so that the cases may be disposed of as soon as possible. One of my colleagues was just saying that if the cases are heard in the normal way, it will take at least 300 years to dispose them of. Where our country will be heading towards in this manner?

Sir, our hon. Minister is young now. He has undertaken this task. Kindly dispose it of as soon as possible. Today, there is a lack of infrastructure in courts. We feel ashamed when we go to our courts. One of my female colleagues has told that there does not exist even a urinal facility. Similarly, there isn't any



such infrastructure for the convenience of the advocates. Our people also go to courts and they also should be provided adequate facilities. These facilities are not available here, you should take note of that.

Thank you very much.

*[English]*

**\*DR. THOL THIRUMAAVALAVAN (CHIDAMBARAM):** Hon. Chairman Sir. Vanakkam. I wholeheartedly thank you for this opportunity to speak on an important Bill. Judiciary is one among the important pillars upholding our democracy. We should find ways and means to ensure the freedom of Judiciary in our country without any political interventions or interference. The number of Judges in Hon High Courts and Hon Supreme Court is very less. That is why several thousands of cases are pending even in these appellate Courts, the High Courts and the Supreme Court. Therefore, my demand is that the number of the Judges in the Hon High Courts and Hon Supreme Court should be increased.

A reservation policy is to be adopted while appointing Judges for the Hon. High Courts, Hon. Supreme Court and other Courts. I urge that a separate legislation should be brought in ensuring reservation for SCs, STs, OBCs, Women and Disabled persons as regards appointments of Judges. Hon. Supreme Court is located in New Delhi. As we know India is a country with vast area, it becomes more critical as it needs lots of time and energy to travel a long distance to reach New Delhi from Tamil Nadu if an appeal is to be made on a particular case in the Hon. Supreme Court of India. Therefore, I request that a Bench of Hon Supreme Court should be set in the southern part of this Country, particularly in Hyderabad.

There are so many vacant posts in Hon. High Courts and Hon. Supreme Court. The Government should act swiftly to fill up all these vacant posts. As Collegium system is undemocratic, it should be discarded and a more transparent and democratic system should be evolved replacing the Collegium system.

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\* English translation of the Speech originally delivered in Tamil.

There are political interventions in the transfer of Judges, as they face injustice in some cases. Hon Chief Justice of Madras High Court Justice Sanjib Banerjee was transferred recently from Madras High Court to Meghalaya High Court. Justice Banerjee was working in a large State of Tamil Nadu. But as gross injustice, Justice Sanjib Banerjee was transferred to a small State Meghalaya with less powers. Therefore, I urge that the undemocratic Collegium system should be replaced with a new transparent system which can be truly democratic.

Thank you.

*[Translation]*

**SHRI ARUN SAO (BILASPUR):** Hon. Chairperson, Sir, I have risen to speak in support of the Bill. This Bill has been brought to clarify as to when the Judges of the Supreme Court and the High Courts will be entitled to receive an additional amount of pension or family pension upon attaining a certain age.

Hon. Chairperson Sir, this Bill makes it clear that the increase in pension of the Judges retiring after attaining a certain age shall be made effective from the first day of the month in which they complete the specified age and not on the first day on which they enter the specified age.

Hon. Chairperson, the salary, gratuity and pension of Judges of High Courts of India are governed by the High Court Judges (Salaries and Conditions of Service) Act, 1954. Similarly, the salaries, gratuity and pension of the judges of the Supreme Court are governed by the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958. On the recommendation of the Sixth Central Pay Commission of the Union Government, an additional amount of pension was provided to the retired civil servants vide Pension and Pensioners' Welfare Department's memorandum dated 2/9/2008. In this regard, the Union Government also issued a clarification on 3/10/2008 stating that the quantum of additional pension would be received on completion of the age of 80, 85, 90, 95 and 100 years. In this regard, sections 16(b) and 17(b) were inserted in the Act, 1954 and the Act, 1958, the notification of which was published on 16/3/2009 and came into force from 1/1/2006.

Hon. Chairperson, the orders passed by the Gauhati High Court, the Madhya Pradesh High Court and later, the Supreme Court has brought disparity and ambiguity in the intention of the Union Government and the Union Government's explanation dated 3/10/2008. This amendment Bill has been brought to remove it. As a result of this amendment, there will be equality in

grant of additional quantum of pension to pensioners and family pensioners and ambiguity will be removed.

Hon. Chairperson, the entire House has expressed concern about the huge pendency of cases in the courts. Revolutionary changes have taken place in every field in the country under the leadership of Hon'ble Prime Minister Narendra Modi. When Shri Kiren Rijiju ji was working as Sports Minister, the way this country created history in Olympics and Para-Olympics under his leadership and under the guidance of Hon'ble Prime Minister Modi ji, today such capable leadership has the responsibility of the Department of Justice. We hope that our honorable Minister will ensure affordable and accessible justice to the people of the country by radically changing the judicial system.

I have full faith in him. I want to say one more thing that my Parliamentary Constituency Bilaspur is the capital of Chhattisgarh. The High Court has been established there and a grand building has been constructed. We want that if all the judicature and all types of tribunals are established in Bilaspur, it will become a place of all convenience in the form of the capital for justice. Thank you very much.

*[English]*

**SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR):**

Hon.Chairperson, Sir, I rise to make a brief intervention in the discourse pertaining to the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2021.

It appears that these amendments are not substantive changes to the law, but are instead clarificatory amendments to clearly state when retired Judges or their families in the case of a Judge's death are entitled to additional quantum of pension in accordance with the scales as mentioned under the respective Parent Acts. In 2009, the Parent Acts were amended to provide for pension or family pension to retired Judges or to the family of a Judge after his death.

So, it appears innocuous. However, the lucid argument made by our esteemed colleague, Mr. Pinaki Misra, has triggered a great confusion, if not controversy, on this legislative document. Therefore, I think that it is prudent to suggest our hon. Law Minister that he should make it a ... (*Interruptions*)

HON. CHAIRPERSON: Facts do not confuse.

**SHRI ADHIR RANJAN CHOWDHURY:** Yes, a little. So, the Minister himself should make it clear so as to diffuse any kind of remaining confusion, if it is so.

The motto of our judiciary is Yato Dharma Tato Jaya -- where there is righteousness there will be victory. Since, 28<sup>th</sup> January, 1950, the odyssey of Supreme Court was set off and still the caravan has been going on, which ensures justice in our country even if deficiencies or lacunae are observed. It is a different kettle of fish. However, we all believe that our Constitution is the supreme law of our country. Our Constitution consists of regulatory law, common law, statutory law and not only that the system basically is based upon,

to a larger extent, an advisory assistance whereby a neutral Judge would offer his judgement after hearing deliberations by both the parties. So, this kind of institution we have in place.

I would like to know this from the hon. Minister. Can we not explore an institutional mechanism to have a permanent pay matrix in so far as the salaries and other issues with the judicial system are concerned? It is because the bedrock of our country's democracy is the rule of law and that means that we have to have an independent judiciary, judges who can make decisions independent of the political winds that are blowing. I quote it from Caroline Kennedy.

I am good at only to plead for our subordinate judiciary because being a representative of people from an aspirational District, I have been witnessing during my political career the trials and tribulations being confronted by the poor and marginalised people of my District and my State.

### **20.00 hrs**

I want to quote Shri N.V. Ramana, the Chief Justice of India.

**HON. CHAIRPERSON:** Just a minute. The time was extended up to 8 o' clock. I believe, Shri Chowdhury is going to take another five minutes. If the House agrees, the time of the House would be extended till Shri Chowdhury completes his speech.

**SEVERAL HON. MEMBERS:** Yes.

**SHRI ADHIR RANJAN CHOWDHURY:** I would simply highlight two or three issues, before concluding my speech.

There is a perception which has been growing in the country that Judiciary is also infected by corruption. We cannot defy the perception. Even in

the year 2011, this Parliament has impeached Judge Soumitra Sen for some sort of corruption cases.....

**HON. CHAIRPERSON:** Misdemeanour.

**SHRI ADHIR RANJAN CHOWDHURY:** Misdemeanour.

So far as corruption in Judiciary is concerned, there must be some system of accountability because the media also do not give a clear picture on account of the fear of contempt. There is no provision. I do not know whether there is any provision in existence for registering an FIR against a Judge for taking bribe, without taking the permission of the Chief Justice of India. I do not have any idea. The Minister may clarify.

Everybody has expressed their apprehension and concern in regard to the huge pendency of cases. Virtually, the country has been sitting on the 'pendency' bomb. The victims are the ordinary and the poor people. While the rich can afford an expensive lawyer like Shri Pinaki Misra, and change the course of dispensation of law in their favour, the poor cannot. This also creates a big blockade for the international investors also.

About the lack of transparency, I do not know how much accessibility is enjoyed by the common people through the instrument of the Right to Information Act in the justice system of our country. I do not have the elaborate idea of it but I think, the RTI Act should be given due priority in our judicial system so that the common people can have the information about the functioning of the Judiciary, about the substantial issues like the quality of justice, accountability, etc.

Hardship of the undertrials is a well-known fact for all of us because most of the MPs are hailing from the countryside. I personally have a bitter experience in regard to the undertrial prisoners of our country. In my State, West



Bengal, hundreds of poor, common man and innocent people are being lodged in the jails on fabricated charges. They have been languishing for years together inside the jails because they have been implicated in such a case, which is unbailable, such as, cases under the Narcotic Drugs and Psychotropic Substances (NDPS) Act. A number of cases under the NDPS Act are slapped against those innocent political workers. Their only offence is that they belong to the opposition parties, much to the disapproval of the ruling dispensation.

Rijiju *ji*, how can we get rid of this kind of situation? I do not know whether we have any mechanism in the judicial system which can provide any kind of succour to those poor and innocent victims of our country.

I would like to draw the attention of the House and of the hon. Minister that, still, judiciary has been inheriting the colonial hangover of the British imperialism. The reason is that they still live in a secretive society. They do not have any direct interaction with the mainstream society of our country. Naturally, we do not have any idea about them and they also do not have any idea about us. More and more interaction of the judiciary with the mainstream society certainly will give a little fillip and impetus of the judicial system because then can have the idea about the nitty gritty of the existing society also.

**HON. CHAIRPERSON:** Please conclude now.

**SHRI ADHIR RANJAN CHOWDHURY:** Sir, I have only two or three points that I will narrate very briefly. Actually, sometimes, I came to learn something from our friends from legal field like lawyers. I used to ask them about the deficiencies being suffered by our judicial system. They drew my attention on three to four points that I think should be expounded here. First, the infrastructure is pathetic. They do not get proper coats, chambers or even good chairs. The courts do not have air conditioners. There is no room to even store

records. This is the state of judicial system at a subordinate level. This needs to be corrected.

Use of technology is at a minimum level. They do not have even high-speed internet to upload daily data. The system needs to be revisited and revitalised. Even in the covid situation, when hybrid mechanism was explored, I do not know whether it has succeeded or not, but numerous courts tried hybrid mechanism, half physically and half virtually. The shortage of judges and court staff is causing huge pendency. Scope of innovation is also very little. No one is taking care of new research in judiciary at the district level. The salary is not at par with the 7<sup>th</sup> Pay Commission. Even the trial court judges nowadays are scared and afraid of their security as one incident took place in Jharkhand also. So, security of trial court judges also needs to be whipped up. Transparency in policy for transparent posting is urgently required.

I am simply referring a few observations made by a judge of our country. Former Chief Justice of India, Sharad Bobde, had made it clear to the States and Union Territories that the recommendation made by the second National Judicial Pay Commission to nearly triple the pay and allowances for subordinate judiciary should be implemented proactively. The hon. Supreme Court highlighted in its order of 28<sup>th</sup> February, 2020, that a financially self-sufficient subordinate judiciary was pivotal for the existence of an independent judiciary. Self-reliance is the foundation of independence. The society has a stake in ensuring the independence of the judiciary, and no price is too heavy to secure it to keep the judges for want of essential accoutrements, and thus to impede them in the proper discharge of their duties is to impair and whittle away justice itself.

Sir, I would like to draw the attention of the hon. Minister to the review verdict of 1993 in which the Supreme Court made an observation that judicial service is not a service in the sense of employment, and judges are not

employees. I am proud of our hon. Law Minister Shri Kiren Rijiju ji because he is now holding the position which was once adorned by Dr. Babasaheb Ambedkar, the first Law Minister of independent India. We expect to get more elaboration on various points from his reply. Thank you.

**20.11 hrs**

(Hon. Speaker *in the chair*)

*[Translation]*

**HON. SPEAKER:** The House stands adjourned to meet again at 11 am on Wednesday, 8th December, 2021.

*[English]*

**20.11½ hrs**

*The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, December 8, 2021/Agrahayana 17, 1943 (Saka)*

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